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Probing U.S. Detention's Unhealthy Growth

At the beginning of 2025, the Immigration and Customs Enforcement agency (ICE) was detaining around 39,000 people in the United States.[1] Detainees are held in a vast but piecemeal network of roughly 150 facilities,[2] a network which has the capacity to detain at least another 14,000 people (as was demonstrated in 2019). While detention facilities are concentrated near the U.S.-Mexico border, they are also located around the entire country, in nearly all fifty states and most U.S. territories. Detaining immigrants is at the core of the United States' approach to border and immigration enforcement. In fact, the country has the largest, most sprawling system of immigration detention in the world.

The country's increased investment in detention in the last three decades is astounding. In 1994, the U.S. had a detention capacity of just 6,785.[3] Today's immense system—more than five times that size—comes with a serious price tag: $2.8 billion was allocated in the U.S. national budget to pay for detaining immigrants in 2023.[4] The 2024 budget allocated $3.4 billion for a capacity of 41,500. The pace of detention expansion is picking up.

All this money goes to a hungry knot of companies and local governments that make the vast detention system possible. The network of stakeholders spirals out far beyond detention center owners and operators. Detained individuals require sustenance, health care, opportunities to communicate, and other basic necessities. Many, many providers are eager to step in, drawn by the financial opportunities available.

Indeed, the increasing involvement of private companies precisely mirrors the growing detention system and increasing budget allocations. In 2005, only 25 percent of ICE detainees (then under

20,000 per day) were in private facilities.[5] In 2023, this was up to almost 91 percent.[6] As the numbers detained in private facilities have expanded, detention costs keep going up. Private companies are not simply functioning to increase capacity for ICE. Instead, these companies now *drive* the laws that are made to detain more and more migrants, and, of course, push for bigger and bigger budget allocations for detention.

Prison companies consistently spend a lot of money lobbying policymakers at local, state, and federal levels, to support laws and policies that expand detention capacity. Consider CoreCivic and GEO Group, the two companies that have benefited the most from ICE's detention of migrants in private facilities. In 2023 alone, CoreCivic lavished a reported $1,680,000 on lobbying around detention, while GEO Group's efforts cost $1,250,000.[7] And that money was well spent: researchers have found clear links between politicians' support for harsh immigration laws, detention, and receipt of campaign donations from private prison companies.[8]

This book reveals that these webs of financial dependence feed the continued and expanding use of detention. We argue that these webs generate value—and make money—from immigrants. And they do so by feeding migrant detainees less food of worse quality, giving them less medicine and fewer visits to doctors, and charging them astronomical prices for necessities like toothpaste, antacid, and phone calls to family members and lawyers. In short, companies contracted to operate in detention centers increase their economic gains by providing *less* than they should.

Perhaps worst of all, these same immigrants often *work* within their detention centers, giving the companies practically free labor. Indeed, many migrants are desperate to do so, since they need money inside just to get by.

This book identifies and traces many of the financial relationships that enable these immigration detention centers to operate. After all, if these companies and local counties *couldn't* profit from immigrants, they'd have far less incentive to lock them up in the first place.

We expose these abuses by taking deep dives into key detention industries, drawing on case studies of six specific detention facilities to do so. In this chapter, we introduce these detention sites, and

we explain how we got around the many roadblocks to researching detention.

First, however, let's take a brief look at the history of the U.S.'s massive immigration detention system. In 1994, the system's capacity was less than 7,000. How was the current capacity of over 50,000 reached less than three decades later?

THE SPREAD OF IMMIGRATION DETENTION IN THE UNITED STATES

The widespread, regular use of immigration detention is relatively new in the contemporary United States. But throughout its history, the U.S. government has repeatedly detained and forcibly moved individuals who fall outside particular ideas of American identity.

A handful of examples of these disturbing ideas about who was, is, or is not considered American include slavery and fugitive slave laws, the removal of Native Americans from ancestral lands and their confinement on reservations, Chinese exclusion laws of the 1880s to early 1900s, the "internment" of 120,000 Japanese immigrants and Japanese American citizens in the 1940s, and forced "repatriation" to Mexico of roughly one million Mexican immigrants and Mexican American citizens in the 1950s. Indeed, from the opening of New York City's Ellis Island Immigration Station in 1892 to the present day, the United States has shown a remarkable propensity to appropriate or construct camps, facilities, and transportation systems to isolate and expel whole groups of people.

Immigration detention cannot be tied to any one political party; it is a popular enforcement strategy with both Republicans and Democrats. The specific reasons cited by politicians for building systems of confinement and forced mobility of immigrants vary, but there are common underlying threads through time.

First, targeted groups nearly always fall outside dominant, race-based ideas of U.S. national identity, as indicated in the examples above. Immigration laws, and how they are enforced, have consistently tried to restrict citizenship as a privilege for primarily white residents, disproportionately impacting people of color. Second, targeted groups are depicted as endangering American security, with (usually non-white) immigrants framed as criminals, morally

depraved and otherwise deficient, or a threat to national sovereignty and safety. Third, the confinement and expulsion of some (but not all) immigrants tend to benefit employers by weakening the position of immigrant laborers in terms of wages, job security, and safety. While the U.S. economy has famously always relied on immigrant workers, business leaders have consistently pushed for immigration policies that give them flexibility and control of the workforce.[9]

While these three threads are woven into the construction and expansion of today's immigration detention system, additional factors come into play.[10] Starting in the 1960s, the U.S. initiated profound changes to its immigration policies. The 1965 Immigration and Nationality Act abolished the national origins quota system, in place since the 1920s, which had strictly limited the migration of all but those from Northern and Western Europe. At the same time, increasing instability in countries of Latin America and the Caribbean—tied to Cold War maneuverings, including U.S. influence and interventions—spurred new patterns of human mobility to the United States. Also, in response to Cold War geopolitics and an evolving global human rights agenda, the U.S. began shifting policies to grant asylum to migrants from a wide array of countries.

The result was growing numbers of non-white immigrants in the United States, and in more areas of the country. These changing demographics became increasingly apparent in the late 1970s and 1980s, at the same time as the U.S. economy entered a long downturn. Despite evidence to the contrary, pundits and politicians often blamed economic woes on new immigrants. Terrorist attacks in the 1980s and 1990s, some linked to immigrants, fueled national security fears. Collectively, these factors led to rising public unease about immigration, scapegoating and criminalization of racialized immigrant groups, and anti-immigrant laws and policies in local, state, and national forums.

Importantly, too, policymakers started to embrace the idea that detaining immigrants—more than just containing them prior to deportation—worked to *deter* future immigration. The general logic of deterrence holds that punitive actions and heightened enforcement will discourage potential migrants. Today, deterrence

remains a common justification for detention and deportation, despite the fact that decades of these policies have yielded little real proof that they do actually discourage migration in the long term.[11]

It is against this backdrop that the contemporary detention infrastructure began to take shape (see Figure 1.1). In the early 1980s, public panic rose over escalating Cuban, Haitian, Mexican, and Central American immigration. In response, Republican President Ronald Reagan adopted a new policy of detaining more asylum seekers from these places. Reagan also required the U.S. to permanently keep available 10,000 detention beds. Existing government-owned detention facilities, most on the U.S.-Mexico border, were quickly overcrowded. To increase capacity, the Immigration and Naturalization Service (the INS, the precursor to today's ICE) contracted space with private prison operators and local governments.

And here is another key shift behind the expanding detention system: a new view of immigration detention as an opportunity to generate revenue and create jobs. In the past, the U.S. government had relied on private operators for *temporary* detention space (for example, in the early twentieth century through the 1950s, the government detained migrants near the U.S.-Mexico border in privately owned hotels).[12] But in the 1980s, the private prison industry—already building infrastructure for the largest incarcerated population in the world—eagerly stepped in to accommodate rising detention numbers. In this, they were led by the Corrections Corporation of America (CCA, now renamed CoreCivic) and the Wackenhut Corporation (now renamed GEO Group), which remain the most profitable and largest in the industry to this day.

At the same time, larger shifts in the general economy put local economies in dire straits. Deindustrialization led to increasing unemployment, and the federal government decreased economic support for state and county governments. While immigration enforcement has always weakened the position of immigrants in the labor market, suddenly one enforcement strategy emerged as a source of revenue itself. To local governments and communities struggling financially, contracting out space for immigration detention plugged holes in household and county budgets.[13]

Together, prison corporations and local governments seized on immigration detention as an area for expansion. And so, under Reagan, prison corporations' army of lobbyists collaborated with political representatives from places looking to host prisons, driving new policies and laws that made more immigrants detainable. With both corporations and municipalities impatient for profit, they worked the system to invent new reasons—never previously codified into law—to detain immigrants.

The result of this collaboration was, first, the 1986 Immigration Reform and Control Act. This new law had the desired effect: for the first time, *criminal* penalties for not following immigration laws were imposed, resulting in larger numbers of detainees. Next was the 1988 Anti-Drug Abuse Act, which invented the "aggravated felony," a legal category for crimes that, when committed by non-citizens, mandate detention and usually deportation.[14] Another surge in detention capacity followed in 1989, when Republican President George H. W. Bush introduced a mandatory detention policy for any asylum seeker whose claim was denied.[15] Then, in 1994, Democrat President Bill Clinton laid out a new border strategy called "Prevention Through Deterrence," which included expanding detention capacity, under the false yet popular idea that harsher punishment of migrants would discourage more immigration.[16]

In 1996, two laws were passed that solidified the legal framework for today's detention system, and immediately began to further extend its capacity: the Illegal Immigration Reform and Immigrant Responsibility Act, and the Antiterrorism and Effective Death Penalty Act. These greatly expanded the categories of immigrants subject to mandatory detention and deportation (including legal residents), while significantly adding to the list of deportable acts. It also became much harder to fight deportation.

And, right away, private companies and local governments were standing by, eager to provide the new detention capacity required. By the end of Clinton's administration just a few years later, detention capacity was up to almost 20,000.

Following the terrorist attacks of September 11, 2001, the rhetoric of "homeland security" infiltrated almost all aspects of public policy and life, and immigrants were increasingly demon-

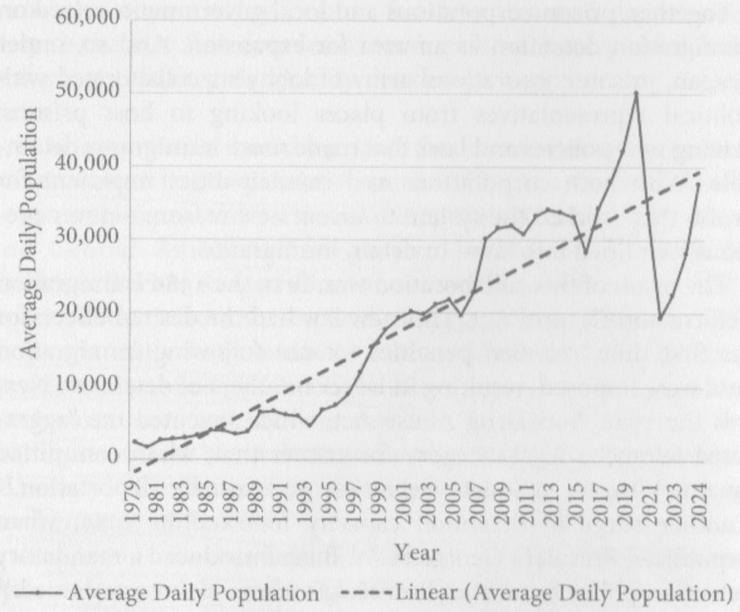


Figure 1.1 Average Daily Detained Population, 1979–2024[17]

ized. Detention became central to the U.S. government's response post-9/11. Propelled by racialized tropes of bad non-white immigrants who did not fit into ideas of American identity, lobbying by prison-related companies, and the dominance of policies oriented around "deterrence," the legal infrastructure and physical capacity for detention gained even more momentum.

A framework for *indefinite* detention was established through the 2001 PATRIOT Act, as well as a number of legal decisions that followed. The Homeland Security Act of 2003 created the Department of Homeland Security and replaced the INS with the scaled-up, bigger-budget Immigration and Customs Enforcement (ICE) agency. The 2004 Intelligence Reform and Terrorism Prevention Act mandated that ICE increase detention capacity by 8,000 *each year* from 2006 to 2010. Other laws and initiatives set ever higher deportation goals, involved local law enforcement agencies in immigration policing, and loosened categories of "detainable" and "deportable" immigrants to include groups previously off-lim-

its as too vulnerable, such as families, mothers, and children. During Republican President George W. Bush's tenure, detention capacity reached 30,000.

Detention and deportation remained central to U.S. immigration policy under Democrat President Barack Obama, from 2008 to 2016. The administration gave more power to ICE field officers and local officials to detain non-citizens, especially through agreements with local law enforcement agencies such as 287(g) and the Secure Communities program. Perhaps worst of all, beginning in 2009, Congress included an annual "detention bed quota" in yearly funding bills, requiring that ICE make sure that there was a standing nationwide detention capacity for at least 34,000 individuals. Even this was not enough for some: ICE officials and representatives from states with the most detention capacity pushed to interpret this quota as requiring the beds to be *filled* and not just *available.* Consequently, "guaranteed minimums" were written into ICE contracts with private detention operators and local governments. These contractual clauses are condemned as "local lockup quotas" by anti-detention activists, who argue that these clauses influence decisions about who to detain and for how long.[18]

Policymaking in the Obama era continued to be driven by the idea that harsh and harmful enforcement policies deter future immigration, despite the continued lack of evidence to support this assumption. This thinking shaped the Obama administration's response to rising numbers of parents and children fleeing north to escape violence in Central America. Coinciding with this, the use of facilities to detain families increased. To facilitate expansion of family detention, the Obama administration relied largely on private companies. These policies were introduced at the same time as incarceration rates in the criminal justice system slowed; consequently, the private prison industry increasingly viewed detaining immigrants as providing a path for continued profit.

By 2017, when the openly anti-immigrant Republican Donald Trump became president, the immigration detention system was already detaining nearly 40,000 people daily. Under Trump, ICE went after more settled immigrants, intentionally separated and detained parents and children, and narrowed the criteria for granting asylum. The Trump administration openly embraced

detention, working quickly to further increase capacity to 52,000. They added forty facilities to the detention system through fast-tracked contracts with private companies and some local governments, by lowering detention standards and contracting without competitive bidding. In August 2019, amid a summer surge in migrants and the use of temporary camps, detention numbers reached their highest ever: 55,654 (see Figure 1.1).[19]

Then, in early 2020, immigrant detention facilities and prisons were among the first institutions hit by the COVID-19 pandemic. Without appropriate medical and hygiene protocols—compounded by facility operators' indifference to preventing the spread of the disease—rates of infection and death among inmates and detainees were shockingly high.[20] When news of the alarming conditions leaked to the public, efforts were made to drastically reduce numbers of incarcerated and detained individuals. The U.S. immigrant detention population shrank to under 20,000 by the fall of 2020. Eighty-one percent of these immigrants were held in private detention facilities.[21]

When Democrat Joseph Biden became president in January 2021, around 15,000 people were in detention facilities. But as the pandemic subsided, the number of immigrants arriving at the U.S.-Mexico border escalated quickly, and the Biden administration responded predictably. In addition to continuing many of the Trump administration's policies, the Biden government prioritized detention and relied heavily on private prison companies to do so.[22] By September 2023, the number of people in immigration detention had reached 35,000, with around 90 percent of those detainees in privately-operated facilities.[23] At the end of 2024, the daily detained population had reached 39,000 once again.[24]

The Biden administration was also planning for more expansion of detention capacity. In June 2024, for instance, ICE put out a request for privately-operated detention facilities in New Jersey, where much of our research is based. The proposed expansion would give New Jersey the capacity to detain roughly 2,500 migrants.[25] In May and September 2024, ICE officials issued "multi-state requests for information," looking to increase detention capacity in 15 states in the Mid-west and on the West Coast.[26]

With the November 2024 election of Donald Trump as president for a second term, the U.S. is readying to enact an unprecedented "mass deportation" of immigrants. Trump's openly anti-immigrant campaign rhetoric framed immigrants as a threat to American security, identity, and way of life. He blatantly invoked racist dog whistles, and blamed immigrants for all manner of problems. Trump appointees promise to target immigrants on a scale not seen in a century. They have signaled that detention will be central to their plan of action, both because of their unquestioning belief in the false logic of deterrence and to facilitate their aggressive deportation agenda.[27] Private prison corporations' stock has skyrocketed since the election.[28]

This brief history chronicles how U.S. immigration detention has grown steadily and exponentially since the 1980s to reach the enormous system it is today. Detention has been a politically popular strategy—across party lines—for publicly "handling" immigration, justified by racialized ideas of national identity, myths of deterrence, and a tendency to scapegoat immigrants for all sorts of economic, social, and political issues. Goals of financial gain propel detention growth, with the incarceration industry at the center of the ongoing expansion.

THE BUSINESS OF DETENTION

The role of private companies and financial dependence in the continued extension of immigration detention in the U.S. cannot be emphasized enough. Federal government spending on detention has ballooned with every subsequent presidential administration since the 1990s, climbing from around $8 million in 1994[29] to $2.8 billion in 2023. The 2024 budget included $3.4 billion to detain 41,500 people daily (see Figure 1.2).

While the United States still imprisons more people than any other country worldwide, the building of new prisons has slowed in the last two decades. This is largely due to decreasing incarceration rates as a result of changing criminal laws and penalties. President Joseph Biden's 2021 order to phase out private contracts for prisons also contributed to decreasing prison build-up.[30] In the face of stalling prison growth, immigration detention offers sta-

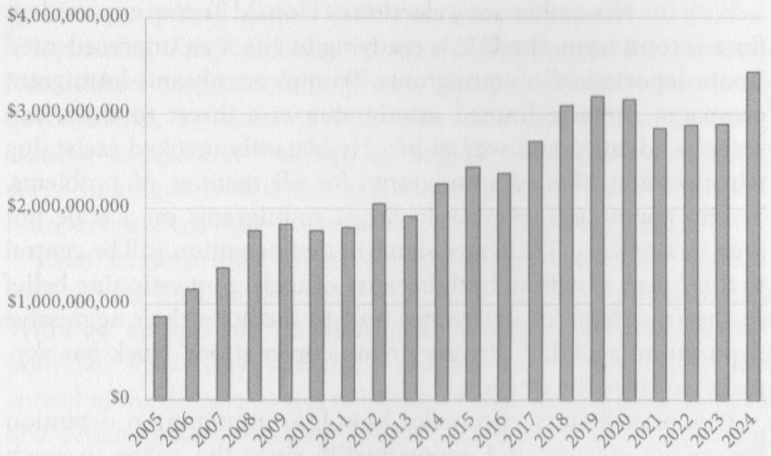


Figure 1.2 ICE Detention Budgets, 2005–24[31]

bility and new opportunities for the "correctional" industry. The biggest companies in the incarceration industry are GEO Group and CoreCivic. As noted in the Introduction, in 2022, GEO Group took in $1.05 billion from ICE contracts, nearly 44 percent of its total earnings, while CoreCivic made $552 million from ICE, or 30 percent of its earnings.[32]

There is a long history of a "revolving door" between government and private prison companies, and this employment pipeline has extended to immigration detention. Frequently, individuals move from positions in which they are responsible for setting or enforcing laws around detention to positions in which they personally profit from those laws. A high-profile example is John Kelly, who served in the first Trump administration as both Secretary of the Department of Homeland Security and Chief of Staff, and oversaw rapid expansion of U.S. detention capacity, particularly for detaining unaccompanied minors. Four months after he left the White House, he was employed on the board of a company that profited from child detention, Caliburn International.[33]

Not only is the U.S. now the global leader in incarcerating individuals, it also leads the world in detaining immigrants, though it is far from the only country that centers detention in its response to immigration. The reasoning underlying the U.S. detention

system drives the growing use of detention in many countries. This includes countries that, like the U.S., are immigrant destinations, such as Australia, Canada, Italy, South Africa, and the United Kingdom, as well as transit countries for migrants, like Algeria, Guatemala, Mexico, Turkey, and Tunisia.[34] The potential for financial gain is a factor in all these developing detention regimes. The use of detention will only continue to grow worldwide, unless we can sever economic dependence on detention infrastructures.

As mentioned above, while large prison corporations play a central role in the U.S.'s massive detention system, there are many stakeholders who benefit or are somehow dependent financially: other types of companies, local governments, and connected government agencies. This book focuses on these other players. We now introduce the six facilities in our study and begin to identify some of the companies integral to detention's daily operations.

FACILITIES OF FOCUS AND MAJOR CONTRACTORS

The vast capacity of the U.S. detention system is currently achieved through a cobbled-together network of at least 150 facilities around the country.[35]

To trace the expanding webs of economic relationships woven into this system, we focus on six facilities in the states of New Jersey and New York (see Figures 1.3 and 1.4.). The six facilities are, in New Jersey, the Elizabeth Contract Detention Facility, Bergen County Jail, Essex County Correctional Facility, and Hudson County Correctional Facility; and in New York, the Buffalo Service Processing Center and Orange County Correctional Facility. Some are government facilities, one is a private facility, and one falls somewhere in between.

By tracing the money and power behind these detention facilities—in two states far from the U.S.-Mexico border, where media attention is often focused—we reveal larger national policy trends and major corporate and government actors in the business of immigration enforcement. The local and regional contexts that led to the incorporation of these six facilities into the United States' detention system include factors discussed above: post-industrial

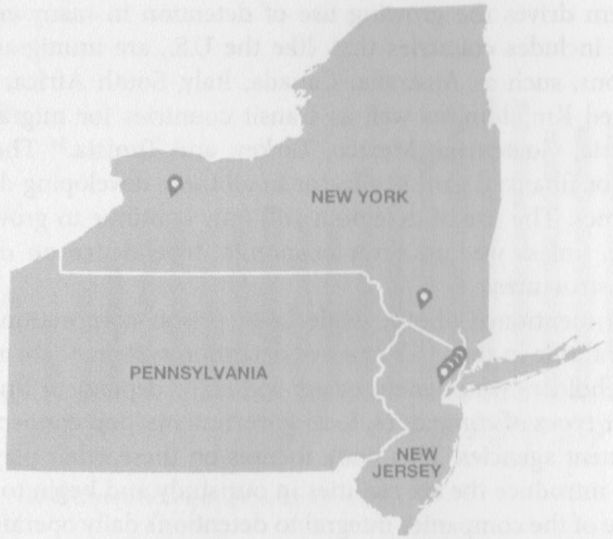


Figure 1.3 Map: The six detention facilities in our study[36]

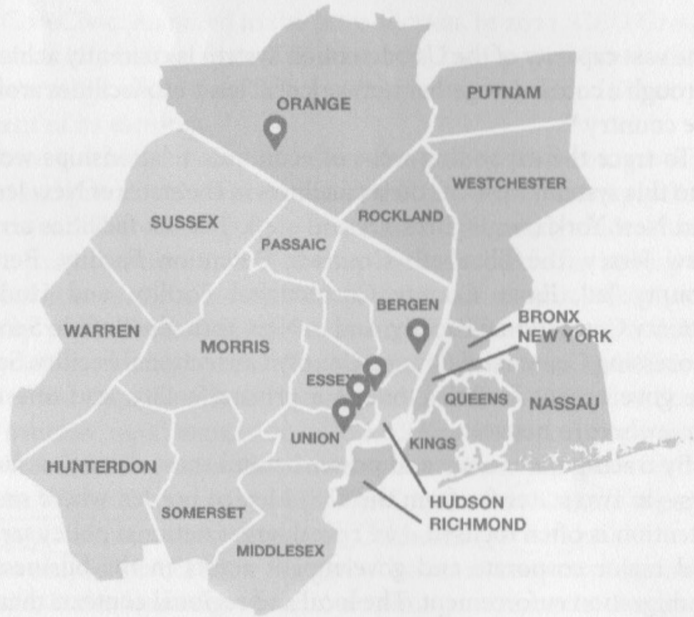


Figure 1.4 Map: Greater NYC area detention facilities in our study

recession, neoliberal vacuums in state and federal support, and political maneuverings. With moves for criminal justice reform at the federal level and in some states, jail populations are decreasing in many places. Both private companies and county governments see immigration detention as a viable alternative to fill empty space and maintain revenue streams.

The fact that the economic seduction of detention is not tied to conservative and Republican leadership is clear, too. All six facilities are in two states controlled by Democrats. The three New Jersey county jails are also under Democratic leadership.

Our selected facilities include examples of the three primary ownership and contracting arrangements used by ICE.[37] One type of facility is owned by ICE, called a Service Processing Center (SPC). SPCs used to be owned *and* operated by ICE, but today the operation of all SPCs is contracted out to private companies. The Buffalo Service Processing Center, one of the facilities we focus on, is one of twenty SPCs. A second type of facility is a Contract Detention Facility (CDF), which is entirely owned and operated by a private company. The Elizabeth Contract Detention Facility scrutinized in our project is an example of this arrangement. The third type of facility is a local government jail, contracted by ICE through an Intergovernmental Service Agreement (IGSA). IGSA-contracted facilities in our study include the Bergen County Jail (New Jersey), Essex County Correctional Facility (NJ), Hudson County Correctional Facility (NJ), and Orange County Correctional Facility (New York).

Since we began this project in 2012, changing laws and practices around detention have meant that the uses of some of the facilities has changed. After a law aiming to ban detention in the state of New Jersey passed in 2021, the three New Jersey county jails in our study—Bergen, Essex, and Hudson—stopped detaining immigrants for ICE. We still trace the operation of these facilities to the present day. The continued contracting of the same service companies in these facilities—even though they aren't currently holding ICE detainees—shows how the business of immigration detention is one and the same as the business of criminal incarceration. And tracking what happened to detainees previously held in these

facilities contributes to our call to dismantle the system entirely, discussed in Chapter 6.

Here we provide brief profiles of these six facilities, including contracting relationships central to their operation. Collectively, these profiles provide a solid sampling of major players in immigrant detention: from county governments to prison corporations to companies selling specific services for confined populations. Clearly, no matter what the ownership structure of a detention facility is, private companies are deeply involved in its operation (see Table 1.1).

Table 1.1 Major contracts for facilities in our study

Facility	*Contract Type*	*Food Service*	*Healthcare Service*	*Commissary Provider*
Bergen County Jail *Hackensack, NJ*	IGSA: ICE (U.S. Marshalls) & Bergen County	Aramark	County provides	Keefe
Buffalo Federal Detention Facility *Batavia, NY*	Contract: ICE & Akima Global Services	Akima Global Services	ICE Health Services Corps	Trinity Services
Elizabeth Contract Detention Facility *Elizabeth, NJ*	Contract: ICE & CoreCivic	CoreCivic	ICE Health Services Corps	Keefe
Essex County Correctional Facility *Newark, NJ*	IGSA: ICE & Essex County	GD Correctional Services	CFG Health Systems	Keefe
Hudson County Correctional Facility *Kearny, NJ*	IGSA: ICE & Hudson County	GD Correctional Services	Wellpath	Keefe
Orange County Correctional Facility *Goshen, NY*	IGSA: ICE & Orange County	Aramark	Wellpath	Keefe

Buffalo Service Processing Center

The Buffalo Service Processing Center in Batavia, New York, opened in 1998. It is also called the Buffalo or Batavia Federal Processing Center. Its detainee capacity is 650, with a guaranteed minimum (the number of beds a facility is contracted to maintain available for ICE) of 400. The detainee population as of May 2024 was 537. The 2023 average length of stay was 61 days. This facility can hold both women and men (though it appears no women have been detained there since 2021).[38]

The Buffalo facility was owned and operated by the federal government for only about a decade. In 2009, an outside company, **Valley Metro Barbosa Group** (VMBG), was contracted to provide food service and some staff, eventually expanding services to include security, commissary, laundry, and land transportation. VMBG operated the Buffalo facility until 2014.

Akima Global Services (AGS) won the Buffalo contract in 2014. AGS still runs the facility today, including food service, in a contract worth over $28 million per year.[39] AGS is an Alaska Native Corporation with headquarters in Herndon, Virginia.[40] AGS also runs the Krome Service Processing Center in Miami, Florida.

Other companies and government entities fill in the services that AGS doesn't provide at the Buffalo detention facility. Detainee medical services are provided by ICE's **Health Service Corps (IHSC)**. Commissary services are contracted to **Trinity Services**.[41]

Elizabeth Contract Detention Facility

The Elizabeth Contract Detention Facility is in Elizabeth, New Jersey. As of January 2025, it was the only facility in the state detaining immigrants for over 24 hours, with a capacity of 304 immigrants, and a guaranteed minimum of 285. In 2019, the average population was 289, with 260 men and 28 women. During the pandemic, numbers went down significantly to under 80 (74 men and 3 women), but immediately started climbing back up. In May 2024, the detainee population at Elizabeth was 226.[42] The 2023 average length of stay was 17 days.

The Elizabeth facility first opened in 1994, when Esmor Correctional Services leased the property—originally built as an

industrial warehouse in 1974—from Portview Properties and converted it to an immigrant detention center. Detainees were held there in abysmal, abusive conditions, sparking protests by detainees in 1995 that culminated in a "riot" that drew national attention.[43] An INS investigation accused Esmor of gross mismanagement and neglect, canceled the Esmor contract, and closed the facility.[44]

Just one year later, in 1996, the Elizabeth Detention Center was reopened, but now under the management of the **Corrections Corporation of America** (CCA), which changed its name to **CoreCivic** in 2017. Despite the new contractor, conditions have remained notoriously bad. Fighting against both activists and the 2021 state law banning detention, CoreCivic has kept the facility open. The property is still owned by Portview Properties, which is part of the Elberon Development Group. Under activist pressure that brought public attention to their involvement with CoreCivic, in 2020 Elberon sued in an attempt to end its contract with CoreCivic. The lawsuit was unsuccessful.[45]

CoreCivic snuck in a two-year contract renewal for Elizabeth with ICE just before the 2021 state law went into effect. The contract was set to expire in August 2023, and the law prohibited renewal of any detention contracts in the state. But CoreCivic filed a lawsuit arguing that the New Jersey law was unconstitutional because it interfered with the federal government's ability to use private companies to enforce immigration laws. The Biden administration supported CoreCivic's claim, and in September 2023, they won their case. ICE renewed CoreCivic's Elizabeth contract for $19.9 million per year. This legal decision has upended activist efforts in other states to ban detention at the state level (discussed further in Chapter 6).[46]

CoreCivic is responsible for general operation of the facility, including security, cleaning, maintenance, and food service. As with the Buffalo facility, medical care is provided by the **ICE Health Services Corps**. The commissary is currently operated by **Keefe Commissary Network**.

Bergen County Jail

Bergen County Jail (BCJ) is in Hackensack, New Jersey. Built to house criminal justice system prisoners for the county around

1965, it was remodeled in 2000 and again in 2009. The facility's total inmate capacity is 1,236. Most records indicate that BCJ began housing immigrant detainees in 1996, through an IGSA with the U.S. Marshals Service (USMS). The number of detainees BCJ housed for ICE periodically increased, going up to 290 daily spots in 2016. In Bergen's mid-pandemic (August 2020) ICE detainee numbers were 167 men and 17 women, with the average length of stay of 69 days. BCJ stopped detaining immigrants for ICE in 2021 with the passage of New Jersey's state detention ban. Per Bergen's last ICE contract, they received $120 daily per detainee.

BCJ's food service is currently provided by **Aramark**, and medical care provided by various subcontractors. **Keefe Commissary Network** has the commissary contract, and **Global Tel*Link** provides phone service to all inmates and detainees.

Essex County Correctional Facility

The Essex County Correctional Facility (ECCF) is in Newark, New Jersey. The facility opened in 2004, with a total inmate capacity of around 3,000. ECCF began housing up to 500 detainees for ICE in 2008, and in 2011 the number of detainee beds was raised to 800.[47] ECCF had a guaranteed minimum of 700. The actual detainee population fluctuated between 500 and 800 until the pandemic; in June 2020, at the height of the pandemic, a report listed the ICE detainee population as 362. The facility detained men only. The average length of stay in 2020 was 123 days. ECCF phased out ICE detention over a few months after the passage of New Jersey's state detention ban in 2021. As per the 2017 ICE contract, Essex County was receiving $117 per day per detainee.

Essex County contracts food service for the jail to **GD Correctional Services** (Aramark also held the facility's food contract at one point). Medical care is contracted to **CFG Health Systems**, commissary to **Keefe Commissary Network**, and **Global Tel*Link** provides phone service.

Hudson County Correctional Facility

The Hudson County Correctional Facility (HCCF) in Kearny, New Jersey, opened around 1992. It first began housing immi-

grant detainees in 1996. In 2002, the USMS and the Immigration and Naturalization Service (INS, ICE's predecessor) gave Hudson County $7 million to expand and renovate the jail to include detention space for a total of 512 prisoners (both USMS and INS prisoners).[48] After the renovation, the jail's total inmate capacity was 2,100, with 476 beds reserved for male and female ICE detainees. The highest number detained at HCCF was over 800 in 2016. After 2017, the detainee population gradually decreased, a decline likely tied to Hudson County's 2018 decision—in response to activist pressure—to terminate its ICE contract by the end of 2020. While county leaders reversed this decision in November 2020, the pandemic had brought detainee numbers down to 68 in August 2020, and then the state ban led to the end of ICE detention at HCCF in 2021. Until then, Hudson County was getting $120 per day for detainees housed there. The average length of stay in 2020 was 76 days. Activists had long noted that the jail's location, in an industrial area near transportation hubs, exposed inmates to health risks and made access by family and supporters very difficult.[49]

The HCCF contracts food service with **GD Correctional Services** (previously with Aramark), **WellPath** for medical services (previously with CFG Health Systems), and **Keefe Commissary Network** for commissary operation. **Global Tel*Link** provides phone service.

Orange County Correctional Facility

The Orange County Correctional Facility (OCCF) in Goshen, New York, opened in 2001. Its total capacity is 778 inmates. The OCCF started housing ICE detainees in 2008, agreeing in its IGSA to hold up to 120 male and female detainees. Orange County currently receives $133.93 per day for each detainee. Since New Jersey county jails stopped detaining for ICE in 2021, OCCF and the Elizabeth CDF are the only ICE detention facilities in the greater NYC area. In 2022, OCCF cut the number of ICE detainees it holds to 56 men and 24 women, citing staffing shortages,[50] but some detainees claimed the transfers were made to punish and silence those on a hunger strike to protest inhumane conditions.[51] In May 2024, the detainee population at OCCF was 67.[52]

OCCF contracts with **Aramark** for food. The medical service contract is with **WellPath** (technically it is with NY Correct Care Solutions Medical Service, which became part of Wellpath in 2018). The commissary contract was held for years by **Aramark**, but in April 2020, the contract was taken over by **Keefe. Global Tel*Link** provides phone service to inmates and detainees.

This book explores the contracting relationships that sustain immigration detention in these six facilities, as well as the knotted dependencies they create. Subsequent chapters dive into the ever expanding array of stakeholders sucked into the business of locking up immigrants, as well as how a cost-cutting mindset leads to abysmal conditions for those detained. But many detention industry players, including ICE, don't want the public to know about their bottom line or common operating procedures, so this research has required developing strategies to circumvent barriers to information.

RESEARCHING DETENTION'S INNER WORKINGS FROM THE OUTSIDE

According to existing U.S. law, immigrant detention is not intended as a punishment.[53] Instead, detention is supposed to be administrative in purpose, meant to hold detainees while they wait for resolution to their immigration status. But detention is certainly experienced as punishment, and expressly articulated as such by policymakers and detention operators. All facilities in the U.S. detention system are operated as carceral facilities. Detainees are frequently confined in jails and prisons that house criminal justice system prisoners. The companies contracted to provide services in detention centers are the same as those contracted for prisons and jails.[54]

It is notoriously difficult to obtain information about what goes on inside carceral facilities. These are, by definition and design, meant to lock people up and they seem to lock up information about inner workings, too. Uncovering details about immigrant detention centers is even more challenging. Academics like us are rarely permitted entry for the purposes of research.

A lot of the information we seek—about the money involved in detention operations, contracts, and how facilities are run—is actively concealed from the public. As such, anyone trying to obtain information about detention must learn to work around roadblocks thrown up by ICE, other government agencies, and private companies. For us, this entailed using a variety of sources to build a powerful archive of documents and accounts that expose relationships fundamental to the running of detention facilities.[55] We start with our efforts to collect documentation.

Public records requests

Organizations and individuals have long struggled to obtain documents related to detention policies, operations, and costs. Given this challenge, laws intended to protect the public's right to know are essential tools for any investigator. The federal Freedom of Information Act (FOIA) 5 U.S.C. § 552 grants the public the legal right to access government records. State laws also allow members of the public to seek records from state and local government agencies.

In 2013, we filed two FOIA requests with the ICE FOIA office.[56] In one request, we asked for any agreements that ICE made with other entities regarding use of the facilities in our study, including agreements with county governments (for use of a county jail), and contracts with private companies contracted to run a facility (for the Buffalo facility: Akima Global Services; for the Elizabeth Detention Center: CoreCivic).

The other 2013 request was for documents regarding the subcontracting of specific services required to operate a facility, including food, medical care, commissaries, communication, laundry, security, transportation, cleaning, and maintenance. (Here, we take deep dives into the first three services: food, medical, and commissary.) This second request also applied to documents pertaining to the daily workings of facilities, including handbooks given to detainees about facility rules and procedures, commissary price lists and records, detainee work assignments, and facility schedules.

ICE typically responds to attempts to obtain information with delay and evasion, as we experienced. FOIA law requires requests

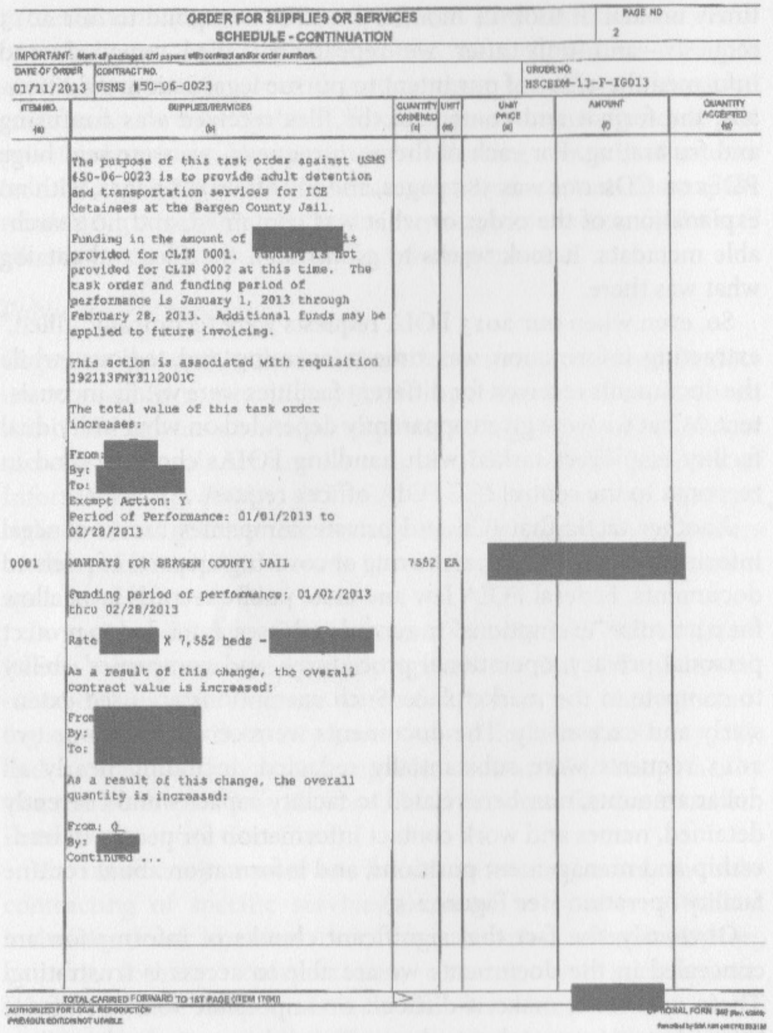
to be answered within 20 business days, but this time limit is routinely broken. It took 14 months for ICE to respond to our 2013 requests—and only after we repeatedly called, emailed, and informed the office of our intent to pursue legal action. Additionally, the format and content of the files received was confusing and frustrating. For each of the 2013 requests, we were sent huge PDFs on CDs: one was 385 pages, and the other 788 pages, with no explanations of the order or what was contained, and no searchable metadata. It took weeks to go through the files and catalog what was there.

So, even when our 2013 FOIA requests were technically "filled," extracting information was time-consuming and tedious, while the documents received for different facilities were wildly inconsistent. What we were given apparently depended on what individual facility employees tasked with handling FOIAs chose to send in response to the central ICE FOIA office's request.

Another tactic that ICE and private companies use to conceal information is redacting: removing or covering up parts of released documents. Federal FOIA law and state public records laws allow for particular "exemptions" in records releases, intended to protect personal privacy, operational procedures, and companies' ability to compete in the marketplace. Such exemptions are used extensively and excessively. The documents we received from our two 2013 requests were substantially redacted, including nearly all dollar amounts, numbers related to facility capacity and currently detained, names and work contact information for people in leadership and management positions, and information about routine facility operation (see Figure 1.5).

Obviously, the fact that significant chunks of information are concealed in the documents we are able to access is frustrating. These omissions make it difficult or impossible to learn—from these documents, at least—how money is spent on detention, operations and conditions inside detention facilities, who is responsible, and who benefits.

It has since become even more difficult to extract information from ICE. In January 2019, we submitted another FOIA request for a much smaller range of documents than requested in 2013, and for only one facility (Buffalo). Our experience this time around



ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION

PAGE NO 2

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER	CONTRACT NO.	ORDER NO.
01/11/2013	USMS 150-06-0023	HSCEDM-13-F-IG013

ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	The purpose of this task order against USMS #50-06-0023 is to provide adult detention and transportation services for ICE detainees at the Bergen County Jail. Funding in the amount of [redacted] is provided for CLIN 0001. Funding is Not provided for CLIN 0002 at this time. The task order and funding period of performance is January 1, 2013 through February 28, 2013. Additional funds may be applied to future invoicing. This action is associated with requisition 192113PNY3112001C The total value of this task order increases: From: [redacted] By: [redacted] To: [redacted] Exempt Action: Y Period of Performance: 01/01/2013 to 02/28/2013					
0001	MANDAYS FOR BERGEN COUNTY JAIL	7552	EA	[redacted]		
	Funding period of performance: 01/01/2013 thru 02/28/2013 Rate [redacted] X 7,552 beds = [redacted] As a result of this change, the overall contract value is increased: From [redacted] By: To: As a result of this change, the overall quantity is increased: From: 0 By: [redacted] Continued ...					
	TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(h))				[redacted]	

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OPTIONAL FORM 348

Figure 1.5 Page from 2013 Bergen County IGSA with ICE showing ICE's redactions

demonstrates how ICE is taking much longer to fill FOIA requests. We received an answer to the 2019 request three-and-a-half years later, in August 2022, and we filed an appeal of that request in October 2022, which (as of January 2025) had still not been filled, despite our regular email inquiries.

Other researchers and journalists have documented the increasingly lengthy times for FOIA responses. Some delay is due to a surge in FOIA requests beginning in the first Trump administration, but it goes hand in hand with a growing disregard for transparency that both preceded and succeeded Trump's first term. There are also numerous accounts of ICE FOIAs only being filled when legal action is taken. Additionally, document types that we received from the 2013 requests appeared to be off-limits in 2022, such as commissary price lists, detainee handbooks, and detainee work program information. Ninety-seven of the 133 pages in the file received in 2022 were completely redacted—nearly 75 percent of the file (which is why we filed an appeal).

Private companies have shown that they are willing to put significant resources into preventing the public from seeing their detention contracts. For example, Detention Watch Network (DWN) and the Center for Constitutional Rights (CCR) fought a lengthy court battle—from 2013 to 2019—to obtain records related to guaranteed minimums in detention contracts. Their efforts were resisted by GEO Group and Corrections Corporation of America (CCA, now renamed CoreCivic), which claimed the requested information was shielded by FOIA exemptions related to protecting competitive company information and plans related to law enforcement actions. Supported by ICE (under *both* the Obama and first Trump administrations), the U.S.'s two largest incarceration companies filed repeated motions and appeals all the way to the Supreme Court.

Eventually, CCA and GEO Group were forced by the courts to release most of the requested information.[57] But this legal battle shows the lengths to which private companies involved in detention will go to try to prevent the public from knowing about the work that they do and the money involved, and, also, that this obstruction often has the full support of the federal government.

After realizing that obtaining the documents we sought at the federal level from ICE could be ineffective, we decided to investigate further at the state level. We used New Jersey's Open Public Records Act (OPRA) and New York's Freedom of Information Law (FOIL) to submit requests directly to counties in our study that detain immigrants for ICE: Orange County in New York, and Bergen, Essex, and Hudson Counties in New Jersey. We submitted multiple rounds of requests to these counties in 2014, 2019, 2021, 2023, and 2024. At times, we submitted large requests (like our 2013 FOIA requests) to all four counties at once, and other times just to a single county for a specific category of document.

For the most part, county government agencies have been much more responsive to our requests. They generally stick to requirements specified by law about time to respond, and provide the range of documents requested without issue. County employees responsible for filling our request have politely emailed or called to clarify documents we seek. We have requested and received documents like detention contracts with ICE (Intergovernmental Service Agreements, or IGSAs), county contracts with private companies for services in the facilities (like food, medical, commissary), detainee handbooks, and commissary lists and records. Through the requests to the New Jersey counties, we also acquired records of meetings of elected county officials who vote for facility contracts and services.

Notably, there are stark contrasts between what ICE redacts and what county agencies redact. While the county-provided documents do contain redactions, these are much more limited than in the ICE responses. For example, redactions by county OPRA and FOIL officers tend to focus on a single number or name. In comparison, ICE officials tend to redact entire passages and even pages, especially in more recent requests. Sometimes we have obtained the same exact document from both ICE and a county agency, to find the ICE copy heavily or entirely redacted, and the county copy with few or no redactions. These contrasts indicate stark differences in approaches to the information that should be "protected" from public knowledge.

We also draw on documents obtained by others through public records requests. The National Immigrant Justice Center (NIJC)

runs the Transparency and Human Rights Project, hosting an online archive of documents related to detention contracting—primarily contracts, IGSAs, and inspection reports—collected by their and other organizations and individuals (for example, we have shared our gathered documents). The Transactional Records Access Clearinghouse (TRAC) at Syracuse University regularly submits FOIA requests to numerous federal government agencies, including ICE, and produces summary reports and graphics. TRAC also maintains the FOIA Project, which keeps track of lawsuits filed pertaining to FOIA requests. Local immigrant rights organizations and journalists doing in-depth investigative reporting have also shared documents they obtained through public records requests.

Additionally, we have found useful documents in ICE's online "FOIA library" of records previously requested, which ICE is legally required to maintain. Prior to 2018, ICE inspection reports were only obtainable via FOIA. Successful litigation by NIJC led to the release of some reports, and in 2018 Congress began ordering ICE to release reports within three months of an inspection being conducted. Several other government agencies that inspect detention facilities, with varying degrees of reliability, supply reports which are also available online.

ICE is required by law to conduct inspections. These ICE inspections have a reputation for being inaccurate and infrequent, more meant to serve as a "rubber stamp" than to actually detect issues to be addressed. Therefore, when an ICE inspection report *does* actually note a problem or detainee complaint, we find it significant, and likely representative of far larger issues than actually included in the report.

Filling in the gaps

To cover information voids caused by the difficulty of getting documents from government agencies and private companies, we draw from a variety of other sources. Many organizations generate reports about detention facilities and companies for the purposes of anti-detention campaigns, through visitation programs, or while supporting detainees and their families. National and international organizations regularly publish findings about various

aspects of detention, for example, the American Civil Liberties Union, American Friends Service Committee, Detention Watch Network, Freedom for Immigrants, Human Rights First, Human Rights Watch, and the National Immigrant Justice Center. Local and state organizations in New York and New Jersey compile data about specific facilities.

We also rely on the work of journalists who do in-depth reporting on particular facilities or companies, from local to national outlets. These organizations and individuals sometimes publish information specifically about the facilities in our study. We also draw on reporting about facilities not in our study, but operated by the same companies. Because corporations often have company-wide policies and operational playbooks, it is likely that those companies operate similarly across all their detention contracts.

Various forms of government and legal records can be useful. County government officials often have public meetings in which detention-related matters are discussed; records of these meetings may be available as minutes, transcripts, or recordings. Congressional entities also generate reports of use, including testimony provided to committees in charge of oversight of immigration enforcement, the nonpartisan Congressional Budget Office (which is funded by Congress), and investigations by the offices of individual members of Congress. Public filings of lawsuits and legal decisions are another source of information about detention. As we detail in subsequent chapters, there is a huge volume of litigation around detention, including lawsuits filed by detainees and their families (or organizations representing them) regarding conditions of detention and rights violations, and by companies suing over lost contract bids.

Additionally, we can glean important information from publicly available materials about businesses. Companies sometimes post useful details online, meant to attract new customers, inform investors, or simply provide a public face. Investment analysts post profiles of individual companies. Marketing analysts produce regular reports assessing the strengths and weaknesses of particular industries, including those involved in detention like food provision and carceral industries. Employment websites often list available job opportunities with certain companies, and

employee-facing websites contain reviews of working conditions with companies or at particular locations.

For this project, we also conducted a limited number of interviews. Ideally, we would speak directly with immigrant detainees, who have first-hand knowledge of what happens inside detention centers. But it can be exceedingly tough to speak directly to detainees. While detained, opportunities to communicate with people outside are tightly restricted, and often prohibitively expensive. Detainees can also be hesitant to communicate for fear of reprisals by facility operators or ICE. But the majority of detainees only leave behind such restrictions when they are deported, which would require tracking them to countries outside the U.S. Detainees who are released and remain in the United States may fear that talking to researchers could hurt their immigration case or residency status. Or they may simply not wish to talk about their detention experiences, and as researchers, we are hesitant to ask former detainees to rehash potentially traumatizing memories.

Still, we have been able to talk to other people who see the inside of detention centers and who speak directly with detainees, such as lawyers, volunteers in visitation programs, and journalists. We also rely on other accounts that include detainee testimony, such as news stories, inspection reports, and immigrant rights groups' reports.

The cloak of secrecy around immigration detention makes this kind of piecemeal, creative approach essential. To be sure, much information remains hidden. Even so, we have gathered enough puzzle pieces to trace the major flows of money running through this industry and to get a sense of the lived realities behind them.

But for everyone, the extreme difficulty in accessing information about the money involved in detention should raise red flags: what are players in the detention industry so determined to conceal? This book exposes detention's hidden webs of financial entanglements, and how they drive political and cultural responses to immigration. The next chapter pulls back the curtain on the carceral food services industry.