



October 25, 2024

Senator Martin Heinrich
709 Hart Senate Office Building
Washington, DC 20510

Dear Senator Heinrich:

This summer, U.S. Immigration and Customs Enforcement (ICE) signaled plans to expand detention beyond its already staggering capacity of [190 facilities](#) nationwide. We are deeply concerned that ICE is seeking to expand its detention capacity—while it ignores calls from Congress, government oversight agencies, the media, and advocacy groups to address documented widespread abuse, including [use of force](#), [sexual assault](#), [solitary confinement](#), and other inhumane conditions in immigration detention facilities. **The undersigned ACLU affiliates in the seventeen impacted states, including yours, urge you to contact officials at both DHS and ICE and strongly oppose the agency’s apparent plans to expand immigration detention.**

ICE has issued Requests for Information (RFIs) and contract solicitations to identify new detention facilities for possible and planned expansion across the country. The RFIs covered the following Enforcement and Removal Operations (ERO) Field Offices and would impact sixteen states: the Chicago ERO Field Office (Illinois, Indiana, Wisconsin, Missouri, Kentucky, and Kansas); El Paso ERO Field Office (New Mexico); the Harlingen ERO Field Office (Texas), the Phoenix ERO Field Office (Arizona), the Salt Lake City ERO Field Office (Utah, Idaho, Montana, and Nevada), Seattle ERO Field Office (Washington and Oregon); San Francisco ERO Field Office (California); the solicitation covers the Newark ERO Field Office (New Jersey).

ICE’s work to expand the immigration detention system is proceeding with minimal transparency and oversight, and amidst strong public opposition. In July 2024, 221 organizations sent a [letter](#) to the Biden administration opposing these plans for expansion. And just last month, the ACLU [filed a lawsuit](#) to seek more information from ICE about its plans to needlessly expand immigration detention.

On any given day, ICE detains over 37,000 people—a [140% increase](#) from the start of the Biden administration. Immigration detention—civil detention for those awaiting a determination of their immigration status or deportation—has become another system of mass incarceration for Black and Brown people in the United States. This system is both costly and cruel. In the past four years alone, ICE has reported the deaths of at least 43 people in its custody. As a

recent ACLU study showed, [95% of deaths](#) in ICE custody were likely preventable if ICE had provided adequate medical and mental health care.

These abusive conditions also come at an immense cost to taxpayers, while lining the pockets of private prison corporations. Nearly [90%](#) of those in detention are held in facilities operated by for-profit companies like CoreCivic and The GEO Group; in 2022, the latter brought in over a billion dollars in revenue from ICE contracts alone.

Members of Congress have spent years demanding meaningful [oversight and accountability](#), calling for the [closure of detention facilities with egregious records of abuse](#), and introducing [important legislation](#) to address ICE's massive and abusive system of immigration detention. Rather than address these calls from Congress and institute consequences for abuses, including closure of failing facilities, ICE is now looking to build more detention sites. The [West Coast Multi-State RFI](#), for example, is seeking detention space for almost 1,000 more people per field office.

As ICE lays the groundwork to expand its mass immigration detention system, these efforts only help to facilitate the ability of future administrations to carry out mass detention and deportation. We urge you to reach out to DHS and ICE and register your strong opposition to its expansion efforts.

Thank you for your time and consideration of this matter. For more information or questions, please contact Naureen Shah, ACLU Deputy Director of Government Affairs for Immigration, nshah@aclu.org.

Sincerely,

ACLU of Arizona
ACLU of Northern California
ACLU of San Diego and Imperial Counties
ACLU of Southern California
ACLU of Idaho
ACLU of Illinois
ACLU of Indiana
ACLU of Kansas
ACLU of Kentucky
ACLU of Missouri
ACLU of Montana
ACLU of Nevada
ACLU of New Jersey
ACLU of New Mexico
ACLU of Oregon
ACLU of Texas

ACLU of Utah
ACLU of Washington
ACLU of Wisconsin