

Private Prisons and Political Contributions: How Big Money Shackles Immigration Policy

Jasmine Gomez and Pamela Cataldo

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Jasmine Gomez, Democracy Honors Fellow
Free Speech For People

Pamela Cataldo, Field Investigator & Paralegal
Dēmos

BIG MONEY IN POLITICS IS BAD FOR IMMIGRATION POLICY

President-elect Donald Trump announced he will begin deporting anywhere between [2 to 3 million](#) undocumented people within his first 100 days in office. Many of these undocumented people will be [held in immigration detention centers](#) while they await deportation court proceedings. As a result, private prison companies - which run most immigration detention centers in the United States - saw their [stock spike](#), going up 40 percent and 16 percent the night it was announced that Trump had won the presidency. Did private prison companies know that their stock value would increase if Trump won the election? Do private prison companies and prison guard unions help elect politicians to office for their own economic benefit? If so, does that affect social policies like the conversation around immigration reform?

LET'S FOLLOW THE MONEY

Private prison companies understood the profits to be gained under a Trump presidency well before the election. In September 2016, private prison companies were experiencing a sharp decline in their stock value. Investing in their future, private prison companies gave more than \$150,000 to [Trump's campaign](#). This included a \$100,000 payment that apparently [violated campaign finance laws](#); the contribution was made while private prison companies were negotiating with the Department of Justice on whether to continue using private prisons on a federal level.

With Trump's victory and the sharp increase in prison stock value that followed, private prison companies clearly made a successful economic investment. But how did this impact the country? [What do the people feel](#) about detaining and deporting immigrants? When it comes to immigration reform, have government officials been listening to their funders, or to the citizens of this country? The story of how the immigrant detention crisis has been prolonged and magnified by corporations and other big money interest is complex and involves many players: politicians, private prison companies, prison guard unions, and, ultimately, the U.S. Supreme Court. The clearest place to begin is by understanding the immigration detention system itself.

Most undocumented immigrants who are detained—including refugees and asylum seekers awaiting processing—are held in privately-run, for-profit prisons known as “immigration detention centers.” Corrections Corporation of America, which recently changed its name to the somewhat Orwellian “CoreCivic,” and the GEO Group, Inc. are two of the largest private prison companies in the United States. Together, they run [90 percent](#) of the immigration detention centers. These private prisons currently hold [33,000](#) immigrants, refugees, and human-trafficking victims per day. That number is expected to increase dramatically if Trump keeps true to his word on deporting 2-3 million undocumented people.

In response, immigrant detainees have been risking their lives to demand an end to deportations and to improve the deplorable situations in these immigration detention centers. They have led multiple [hunger strikes](#) to protest conditions such as children being forced to wear prison uniforms, human-trafficking victims compelled to work under conditions bordering on slavery, and rampant sexual assault being swept under the rug.

In the mid-2000’s, CoreCivic (then operating under the name Corrections Corporation of America) opened its first family immigration detention center to house women and children. After only a few years, this detention center was shut down because of the inhumane conditions. According to an [coalition letter](#) signed by over 100 organizations, “children as young as eight months old wore prison uniform . . . and were threatened with alarming disciplinary tactics, including threats of separation from their parents if they cried too much or played too loudly.” The children also did not receive proper medical treatment or education. At another CoreCivic facility, the Eloy Detention Center, a transgender immigrant named Marichuy Leal Gamino [was sexually assaulted](#) by her cellmate in 2014. When she reported her abuse, staff allegedly told her to sign a statement claiming that she had consented. Other women and queer people have repeatedly reported [sexual assault](#) by prison guards in these detention centers.

In detention centers many immigrants also engage in prison labor just to talk to their families. According to Cristina Parker, the Immigration Programs Director at the non-partisan non-profit organization Grassroots Leadership, immigrants detained at these centers are only paid \$1 - \$2 for a day’s work. The money they earn must be spent at the detention center, where goods, including phone cards used to call family, are significantly more expensive than average prices.

Even when undocumented people are not being held in detention centers, many immigrants are [forced to wear](#) shackle-like ankle monitors made by GEO. These devices track undocumented people through GPS and allow the government to engage in mass surveillance of undocumented people through a federal "Alternatives to Detention" program. As detention centers fill, the government is likely to rely more on these "Alternatives to Detention" programs.

This system is [expensive](#), harmful and has generated resistance. Beyond the many immigrant detainees leading multiple [hunger strikes](#), families, activists, and the majority of the public are all calling for change. While some aspects of immigration policy are politically controversial, a decade's worth of [polling](#) shows that a consistent 65 percent of U.S. adults favor a pathway to citizenship for undocumented people. If those who would be directly affected by immigration reform and the broader public are eager to see changes made to our broken immigration system, why has Congress not listened?

One reason Congress has not listened is because the broader public's desires conflict with the interests of the wealthy few. There is entrenched opposition from some very well-funded interests that do not hesitate to use political money to protect a profitable line of business. The current state of money in politics allows those who contribute the most money to have the most access to politicians. This gives the wealthy few a louder voice in our political system.

The power of wealthy interest groups is highlighted by an example from just a few months ago in California. The State Assembly and Senate [overwhelmingly voted in favor](#) of the "[Dignity not Detention](#)" act, a measure that would prohibit cities, counties, and local law enforcement from contracting with private prisons in civil immigration proceedings. This bill was introduced as a direct response to troubling reports of [distressing detention conditions](#) in California-based private detention centers, including [medical neglect and mishandled sexual abuse allegations](#). However, since 2010, California Governor Jerry Brown has been receiving campaign contributions [from private prisons](#) and the [prison guards' union](#). Brown [vetoed](#) the "Dignity not Detention" act, protecting the interests of these groups.

The business of detaining immigrants, refugees, asylum seekers, human trafficking victims among others, is a [\\$2 billion dollar industry](#) in which private prisons profit from handsomely. This is a simple case of supply and demand.

Private prison companies have a vested interest not only in maintaining lucrative government contracts, but also in ensuring there is a steady supply of detainable undocumented persons. For example, in its 2015 [Annual Report](#), CoreCivic warned investors that “[t]he demand for our facilities and services could be adversely affected by the relaxation of enforcement efforts...any changes with respect to...illegal immigration could affect the number of persons arrested, convicted, and sentenced, thereby potentially reducing demand for correctional facilities to house them.”

Private prison companies are not the only interest groups providing big money donations to politicians. In California, the California Correctional Peace Officers Association is a prison guard union representing over 30,000 corrections officers from prisons around the state. Typically, unions only lobby on behalf of their own members, but because prison guards need prisons to exist to have jobs, the union also lobbies to drive public policy towards [incarceration](#).

This gives private prison companies and prison guard unions a powerful incentive to use political money—campaign contributions, outside spending, and lobbying—to block policies that would raise the cost of doing business (by improving standards at their facilities), reduce the “demand” for immigrant detention by reducing privatization, or by fixing the broken immigration system generally.

Between 2000 to 2012, GEO and CoreCivic (along with another small company) have spent more than [\\$32 million](#) on campaign contributions and lobbying for the federal level alone. In 2014, CoreCivic and GEO spent well over \$3 million lobbying Congress and more than \$500,000 on federal campaign contributions. In 2016, Donald [Trump](#)’s campaign received more than \$150,000 from private prisons, including \$100,000 that apparently violates campaign finance laws. These numbers only reflect disclosed contributions; we have no way to know how much these private prison companies have spent in hidden donations, otherwise known as “[secret money](#).” In California, GEO donated over [\\$25,000](#) to Governor Brown in 2010 and over [\\$50,000](#) in 2014, while CoreCivic donated over [\\$60,000](#) to Brown’s campaign in 2012. Governor Brown’s re-election campaign also received over [\\$2 million from the prison guards’ union](#).

While CoreCivic claims it does not lobby on behalf of pro-incarceration policies, we can follow the money and see the impact contributions have on legislative decisions. In 2010, a [federal court order](#) was issued to reduce the overcrowding in California prisons. Between 2010 and 2014 Governor Brown received money

from private prison companies and the prison guards' union. In 2013, as a response to the overcrowding of prisons, Governor Brown [opened two new private prison](#) centers with both GEO and CoreCivic. The contract with GEO is worth \$30 million a year, paid for by state taxpayer money, to hold 1,400 people in their private prison facilities; CoreCivic receives \$28.5 million a year from the state to hold 2,300 people. Governor Brown also said the private prison companies would be [staffed by union guards](#). These were the types of contracts that were protected when Governor Brown vetoed the "Dignity not Detention Act" under the reasoning that California should wait until the federal Department of Homeland Security makes a decision on whether private prisons should be used for immigration detention centers on the federal level.

Despite Homeland Security [announcing](#) it would make its own decision on continued use of private prisons for immigrant detention by the end of November, its actions have already spoken louder than its words. On October 17th, the federal Immigration and Customs Enforcement division within the Department of Homeland Security skipped the bidding process to award CoreCivic with a revised and extended five year contract for CoreCivic to run a [family immigration detention center](#). ICE has also been expanding the number of detention centers that exist. In early August, the Bureau of Prisons ended a contract with CoreCivic because of an investigation that revealed patterns of serious medical neglect within the facility. Despite this, ICE recently signed an agreement with CoreCivic to [reopen that same facility](#) as an immigration detention center. This is certainly not the first time the federal government has contracted with private prison companies. In 2013 and 2014, GEO and CoreCivic received contracts worth over [\\$1.561 billion in taxpayer dollars](#). In addition, CoreCivic spent almost [\\$10 million](#) dollars directly lobbying Congress's Department of Homeland Security Appropriations Subcommittee, which determines the immigration detention quota. These quotas have risen in past years; ICE officials are now asked to detain [34,000 undocumented people daily](#) in immigration detention centers.

The way in which the California and federal governments are beholden to big money interests (in this case, powerful corporations and labor unions) is part of a broader trend. Those who contribute the most money to campaigns have the most access to politicians. For America to have an honest and open conversation about immigration reform, we first need to make sure that everyone has equal access and say in the political process.

These examples highlight one of the biggest roadblocks in American democracy - money in politics. The Supreme Court's decisions in [Citizens United v. FEC](#) and similar cases have entrenched the power of money in our political system. In 1976, the Supreme Court [ruled](#) that money should have "free speech" protections under the Constitution, meaning wealthy people (and now, since *Citizens United*, corporations and unions) can spend unlimited amounts of money in politics. In order to participate in our current political process, you must have enough money to compete with wealthy interests. This has created a problem: when money is speech, those without money have less of a voice. [Studies show](#) that middle and low income voters have virtually no effect on the policies Congress enacts. Instead, Congress listens to those with the most money to spend on their elections. This has left us with a nation that is now run by, and largely for, the wealthy few.

Many Americans already know that private prisons do not provide solutions for detained and incarcerated people. Corporations that profit from imprisoning people should not have more of a say than the people of California and all over the United States. While *Citizens United* and related Supreme Court cases are preventing us from having a real democratic conversation, we can change that reality. This year, California and Washington [joined 17 other states](#) in calling upon Congress to pass a constitutional amendment to overturn *Citizens United* and similar court decisions to allow common-sense limits on money in politics. Every election, the list of cities and towns around the country pushing for democracy gets longer, regardless of whether these communities vote red or blue. Every election, more organizations are giving the people [tools](#) to [organize](#). Overturning *Citizens United* won't fix our immigration policy, or the detention system, overnight. But when we're up against the wealth and political might of the private prison industry, we need the voices of the people to rise above the wallets of the wealthy.