

November 21, 2016

The Honorable Jeh Johnson
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Johnson:

We the 21 undersigned civil rights, faith, and immigrants' rights individuals and organizations of Ohio, write to express our concern regarding contract negotiations with Corrections Corporation of America (CCA),¹ to convert the Northeast Ohio Correctional Center (NEOCC) into an Immigration and Customs Enforcement ("ICE") detention center.²

The decision to negotiate with private prisons is especially troubling as just two months ago the Department of Justice announced the end of its use of private prisons after finding evidence of widespread abuse. Additionally, these contract negotiations are proceeding without any notification to the public or consultation with community stakeholders while there is an ongoing review of ICE's use of private prisons by the Department of Homeland Security Advisory Committee ("HSAC"). No new contract should be awarded or current contracts renewed while the HSAC review is on-going.

All people deserve humane treatment, but private prison companies prioritize profits over people. CCA has a troubling track record in Ohio, which highlights that no one should be able to detain people for profit. When NEOCC opened in 1997, CCA staffed the prison with officers who had little to no experience in corrections and populated it with 1,700 high-level prisoners.³ Within the first 14 months the prison was in operation there were 13 stabbings, two murders, and six escapes.⁴ Youngstown officials eventually sued CCA in federal court for failing to abide by its own standards.

There have been continued problems at this prison. In 2014, 140 prisoners led a 14-hour protest by refusing to come inside from the yard.⁵ The protestors objected to unsanitary food conditions, lack of medical care, inadequate programming, and the unfair use of solitary confinement.⁶ In December 2014, the Federal Bureau of Prisons (BOP) chose not to renew their contract at NEOCC with CCA.⁷

It is disturbing that a prison that has been deemed unfit for federal prisoners may now be used to house asylum seekers by ICE even though the prison and its operator remain the same. Rather

¹See Barrett, Devlin, "Private-Prison Firm CCA to Rename Itself Corecivic," *The Wall Street Journal* (Oct. 28, 2016).

² Barrett, Devlin, "Record Immigrant Numbers Force Homeland Security to Search for New Jail Space," *The Wall Street Journal* (Oct. 21, 2016).

³ "Prisons For Profit: A look at prison privatization," ACLU of Ohio (April 2011).

⁴ *Id.*

⁵ Dick, Denise, "Report of Prisoners' Protest Shows Series of Events," *Youngtown Vindicator* (Aug. 22, 2014).

⁶ *Id.*

⁷ "CCA Prison in Ohio Loses BOP Contract," *Prison Legal News* (Oct. 2015).

than incentivizing incarceration and detaining people for profit, ICE should sever ties with CCA. We respectfully urge you to:

- Immediately suspend contract negotiations with CCA, any other state or local government entity, or any private prison company, regarding use of NEOCC to detain immigrants;
- Immediately brief community stakeholders in Ohio on the status of contract negotiations regarding NEOCC and any other pending ICE detention procurement activities in Ohio;
- Suspend all ICE detention procurements while the HSAC review is pending; and
- Curtail the record-breaking detention of immigrants by requiring ICE to implement nongovernmental organization recommendations to reduce detention levels,⁸ starting with an immediate halt to the detention of families, asylum seekers, and other vulnerable populations.⁹

We should be seeking more cost-effective and appropriate alternatives to ensure all immigrants' well-being. Detention should be a last resort, and DHS should not be in the business of bailing out prisons for profit.

We ask that DHS immediately brief community stakeholders in Ohio on the status of contract negotiations with CCA regarding the Northeast Ohio Correctional Center. Please contact Jocelyn Rosnick, assistant policy director, at the ACLU of Ohio at jrosnick@acluohio.org or 216.472.2220 to facilitate our request.

Sincerely,

ACLU of Ohio
Council on American-Islamic Relations, Ohio
Cleveland Branch of the NAACP
Cleveland Jobs with Justice
Cleveland Nonviolence Network
Codepink Cleveland
Community Refugee & Immigration Services
Cuyahoga County Progressive Caucus
Greater Cleveland Immigrant Support Network
HOLA Ohio
InterReligious Task Force on Central America (Cleveland, OH)
Juvenile Justice Coalition (Ohio)

⁸ Lin, Joanne & Carl Takei, *"Homeland Security Must Stop Using Private Prisons for Immigration Detention. Here's How to Do It,"* ACLU (Oct. 3, 2016) available at <https://www.aclu.org/blog/speak-freely/homeland-security-must-stop-using-private-prisons-immigration-detention-heres-how>.

⁹ Takei, Carl, Michael Tan & Joanne Lin, *"Shutting Down the Profiteers: Why and How the Department of Homeland Security Should Stop Using Private Prisons,"* ACLU (Sept. 2016) available at https://www.aclu.org/sites/default/files/field_document/white_paper_09-30-16_released_for_web-v1-opt.pdf.

LULAC Columbus Council 39005
LULAC Women and Advocates Council 39015
Northeast Ohio American Friends Service Committee
Ohio Chapter of the National Lawyers Guild
Ohio Hispanic Coalition
Ohio's Voice
Rev. Max Rodas (Cleveland, Ohio)
Showing Up for Racial Justice Northeast Ohio
Women Speak Out for Peace and Justice

cc:

The Honorable Sherrod Brown, U.S. Senator, Ohio
The Honorable Rob Portman, U.S. Senator, Ohio
The Honorable Tim Ryan, U.S. Congress, 13th District of Ohio