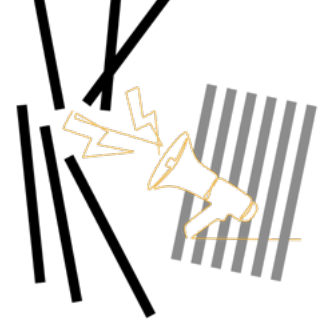




www.nydignitynotdetention.org

FREQUENTLY ASKED QUESTIONS



WHY IS THIS BILL IMPORTANT?

Immigration detention is inhumane, dangerous, undermines public safety, and acts as a threat to New Yorkers all over the state. Immigration detention harms not only the individuals detained but also their loved ones and communities. New York's contracts profit from the detention of immigrants and fuel a larger deportation machine in which people are separated from their loved ones and forced into cages. The NY Dignity Not Detention Bill gets New York out of the business of immigration detention.

WHAT ARE CONDITIONS LIKE IN ICE DETENTION?

Conditions inside ICE detention facilities demonstrate widespread neglect and abuse. In New York, immigrants in detention have reported inedible food causing illness, extremely cold temperatures, and unsanitary conditions including human feces and blood in dirty cells.ⁱ It can take weeks to get medical attention.ⁱⁱ The COVID-19 pandemic has highlighted the dangers of immigration detention. Correctional officers are often observed not wearing personal protective equipment (PPE) and social distancing is impossible.ⁱⁱⁱ

WHY SHOULD NEW YORK END CONTRACTS WITH ICE?

When New York devotes its resources to jailing immigrants for ICE, it is an active participant in anti-immigrant policies. Ending immigration detention in New York will help protect Black and Latinx communities since immigration detention disproportionately harms them. By ending its contracts with ICE, New York can stand up for Black and Latinx New Yorkers and immigrant communities by keeping people safe and families together.

ISN'T IMMIGRATION DETENTION BETTER UNDER BIDEN?

Short answer: No. The Biden Administration has continued aggressive immigration enforcement. Immigration detention has increased from about 15,000 in January 2021, when Biden took office, to over 27,000 in July 2021.^{iv} The Biden Administration has also deported or expelled 1.2 million people.^v Despite campaign promises to end the use of private prisons, the administration is now using a private prison in PA to detain immigrants.^{vi} They have also shown that they are unwilling to improve detention by continuing to pursue lawsuits begun by the Trump Administration that could limit the ability of people to seek bond hearings from detention.^{vii}

ARE OTHER STATES CONSIDERING SIMILAR LEGISLATION?

Similar legislation was successfully passed and signed into law in New Jersey ([S3361, A5207](#)), Maryland ([SB 478](#)), California ([SB 29, AB 103](#)), Washington ([SB 5497, HB1090](#)), and Illinois ([SB0667](#)). The New Mexico legislature is also considering a similar bill ([HB40](#)). NEW YORK DIGNITY NOT DETENTION (S7373/A7099A) Current as of December 14, 2021

HOW DOES THIS BILL COMPLEMENT NY FOR ALL (S03076/A02328)?

Each bill takes on a different aspect of the problem. The NY For All bill broadly prohibits state and local officers from enforcing federal immigration laws, funneling people into ICE custody, and sharing sensitive information with ICE, among other things. The NY Dignity Not Detention bill gets New York out of the business of immigration detention by prohibiting New York entities and private persons from entering and renewing contracts with ICE. The two bills work together to create a safer New York.

DOESN'T NY ALREADY BAN PRIVATE PRISONS?

In 2007, New York passed legislation that prohibited the operation of private prisons in the state and committed itself to end incarceration for profit.^{viii} That legislation, however, left a loophole that permitted private prison companies to continue to contract with ICE and detain immigrant New Yorkers. This bill closes a loophole that has allowed immigrant New Yorkers to be prisoners for profit in NY for many years and puts NY back as a leading state in immigrant rights.

ENDNOTES



ⁱ Kenneth C. Crowe II, "Complaint Alleges 'Filthy Living Conditions' for Immigrants At Local Jail." Times Union, Sept. 21, 2021, <https://www.timesunion.com/news/article/Complaint-alleges-filthy-living-conditions-for-16477034.php>; See Orange Conditions Report, https://drive.google.com/file/d/1yN_M4ehG9lk_cAkkYCxYQaFbephRzHvI/view?usp=sharing.

ⁱⁱ See Orange Conditions Report, https://drive.google.com/file/d/1yN_M4ehG9lk_cAkkYCxYQaFbephRzHvI/view?usp=sharing.

ⁱⁱⁱ Id.

^{iv} See Philip Marcelo and Gerald Herbert, "Immigrant Detentions Soar Despite Biden's Campaign Promises." AP News, Aug. 5, 2021, <https://apnews.com/article/joe-biden-health-immigration-coronavirus-pandemic-4d7427ff67d586a77487b7efec58e74d>.

^v See United We Dream, last accessed Oct. 27, 2021, <https://unitedwedream.org/protect-immigrants-now/biden-stop-deportations-now/>.

^{vi} Charles Davis, "Despite Biden's Pledge, A Private Prison Is Becoming a For-Profit Immigrant Detention Center in Pennsylvania." Insider, Sep. 29, 2021, <https://www.businessinsider.com/despite-biden-pledge-ice-gets-for-profit-jail-in-pennsylvania-2021-9>.

^{vii} See *Garland v. Aleman Gonzalez*; *Johnson v. Arteaga Martinez*.

^{viii} 2007 N.Y. Sess. Laws Ch. 202 (S-4118-B).