

June 5, 2013

The Honorable John Boehner
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
Washington, DC 20515

Re: H.R. 2217 – Support Rep. Deutch’s Amendment to Eliminate the Immigration Detention Bed Mandate

Dear Speaker Boehner and Minority Leader Pelosi:

As organizations that work to protect and advance the rights of individuals in immigration detention, we write to encourage bipartisan support of Rep. Deutch’s amendment (co-sponsored by Rep. Foster) to the Department of Homeland Security (DHS) Appropriations Act, H.R. 2217, that would eliminate the immigration detention bed mandate.

Congress has mandated through appropriations that DHS maintain a daily immigration detention level of 34,000 individuals, a micro-managing approach that does not exist in any other law enforcement context. DHS already uses a Risk Assessment Tool to help determine whether an individual presents a risk of flight or a risk to public safety and whether that person should be detained. Yet the bed “mandate” precludes the agency from making decisions about detention based on its enforcement priorities, policies, and need. It also makes increased efficiencies, effective alternatives to detention, and other cost-savings efforts for taxpayers impossible – an irresponsible approach for the federal government to take when Washington seeks to reduce federal spending. Alternatives to detention have received bipartisan support for its cost-savings from groups such as the Council on Foreign Relations’ Independent Task Force on U.S. Immigration Policy, the Heritage Foundation, the Pretrial Justice Institute, the Texas Public Policy Foundation (home to Right on Crime), the International Association of Chiefs of Police, and the National Conference of Chief Justices.

Today, taxpayers pay upward of \$2 billion a year to fund immigration detention, approximately \$5.5 million each day.¹ Decades ago, criminal justice and correctional experts observed that holding all individuals subject to incarceration in jails or prisons was unsustainable, unnecessary, and a wasteful use of resources. It is common in the criminal justice system to use an array of less costly custody options, such as electronic monitoring and house arrest, to meet pre-trial and post-sentencing needs. The federal sentencing guidelines expressly allow substitution of a prison sentence with alternatives to incarceration. The immigration detention system should follow suit and conform to established best practices.

We urge you to support this important amendment, which will eliminate this arbitrary immigration detention quota and save critical taxpayer dollars. Please feel free to contact Royce Murray at rmurray@heartlandalliance.org or at 312.718.5021 with any questions.

Sincerely,

¹ National Immigration Forum, The Math of Immigration Detention: Runaway Costs for Immigration Detention Do Not Add Up to Sensible Policies, 1 (2012). Available at: <http://www.immigrationforum.org/images/uploads/mathofimmigrationdetention.pdf>

National Organizations

Adrian Dominican Sisters
All of Us or None
American Civil Liberties Union
American Friends Service Committee
American Immigration Lawyers Association
Americans for Immigrant Justice, formerly Florida Immigrant Advocacy Center
America's Voice
Arab American Institute
Congregation of St. Joseph
Detention Watch Network
Human Rights First
Immigration Equality Action Fund
Japanese American Citizens League
Justice for Immigrants
Justice Strategies
League of United Latin American Citizens
Lutheran Immigration Refugee Service
NAFSA: Association of International Educators
National Center for Transgender Equality
National Council of La Raza (NCLR)
National Immigrant Justice Center
National Immigration Forum
National Immigration Law Center
Physicians for Human Rights
Service Employees International Union (SEIU)
Sisters of St. Francis, Sylvania, OH
Sisters of St. Joseph, TOSF
Sisters of the Most Precious Blood, O'Fallon, MO
Sisters, Home Visitors of Mary
South Asian Americans Leading Together (SAALT)
Southeast Asia Resource Action Center (SEARAC)
Southern Poverty Law Center
The Advocates for Human Rights
The Center for APA Women
UC Davis Immigration Law Clinic
Women's Refugee Commission

State Organizations

Advocates for Survivors of Torture and Trauma
California Immigrant Policy Center
Florence Immigrant & Refugee Rights Project
Illinois Coalition for Immigrant and Refugee Rights

Legal Services for Prisoners with Children
Maria Baldini-Potermin & Associates, PC
Massachusetts Immigrant and Refugee Advocacy Coalition
New York Immigration Coalition
Northwest Immigrant Rights Project
OneAmerica
Pax Christi Florida
Political Asylum Immigration Representation Project
Scott D. Pollock & Associates, P.C.
Sisters of Mercy West Midwest Justice Team
Vermont Immigration and Asylum Advocates
Voces de la Frontera

Local Organizations

Capital Area Immigrants' Rights Coalition
Dominican Sisters of Houston
Gesu Immigration Study Group
Good Shepherd Immigration Study Group
Gospel Justice Committee Sisters of the Most Precious Blood of O'Fallon, MO
Immigration Taskforce, SWPA Synod, Evangelical Lutheran Church in America
Justice and Peace Committee/ Sisters of St Joseph/West Hartford CT
Justice for Immigrants, District 4 & 5
Milwaukee New Sanctuary Movement
PCUN, Oregon's Farmworker Union
Reformed Church of Highland Park, NJ
Sisters of St. Joseph of Rochester
University of Miami School of Law Immigration Clinic