SB 6442 / HB 2576 Prohibiting Prisons for Profit

Private prisons and detention centers should be prohibited in Washington state because they endanger public safety and are an affront to Washingtonians’ values.

**The bill prohibits** private prisons and detention centers that are not accountable to the State and do not have State-directed interests. The bill does not affect facilities where the primary purpose of confinement is the delivery of specific services, such as work release, mental health services, or juvenile rehabilitation.

**The bill does not affect existing private prison contracts.** The Department of Corrections (DOC) sent people out-of-state to for-profit prisons in the 2000s. The last DOC contract with a for-profit contractor expired in 2018. This bill will prevent DOC from signing new contracts. The Tacoma Northwest Detention Center, owned and operated by GEO Group, is under contract until 2025. This bill will prevent the contract’s renewal.

**Private prisons pay low-wage, under-trained dangerous jobs** -- through understaffing, lower wages and less training. Private prison guards make as much as 45% less than public prison guards. Equally important, private prison companies exploit free or underpaid labor of people detained instead of paying qualified workers. In 2015, the Washington State Labor Council passed a resolution opposing the privatization of the prison industry because “private prison firms generate profits by understaffing facilities, paying employees inferior wages and benefits, and providing inadequate staff training.” At the only private prison in Washington State, GEO guards held an informational strike in October 2016, saying that they faced low wages, inadequate training, mandatory overtime, and a lack of sick days. In a residential detention context, these labor conditions are dangerous.

**Private prisons are unhealthy and unsafe for people who are incarcerated there.** In August 2016, the Department of Justice Office of Inspector General (OIG) issued a report that found that privately-run prisons in the federal system had “incurred more safety and security interests per capita than comparable [Bureau of Prisons] institutions.” The OIG additionally found that privately operated prisons had “higher rates of inmate-on-inmate and inmate-on-staff assaults, as well as higher rates of staff uses of force”. People confined in private facilities often failed to receive necessary medical care and one private prison went without a full-time physician for eight months.

**People do not want a “hometown” detention center for visitation; they want their loved ones at home.** ICE bonds set in Tacoma are the highest in the nation. According to the Washington Immigrant Solidarity Network (WAISN), at least one in five people detained has a bond set and lack of money is the only reason they are still locked up. This places an undue burden on Washington families who want to bring loved ones home, all to make sure that for-profit companies can make money on their contracts.
The success of Keep Washington Working is already keeping Washingtonians at home. Since 2019, ICE cannot use local and state agencies to detain Washington residents. This bill will end future detention contracts in the state, ensuring that nobody is unnecessarily detained just because a corporation wants to increase its profits. When people are not detained and are able to be with families, they can hire lawyers and access important legal documents necessary for their immigration cases. This is why key endorsers of this bill, including the Northwest Immigrant Rights Project (NWIRP) prefer to work with clients who can help find documentation to support their case.

What will happen to people when private prisons shut down?

**Immigration detention is not required. When there are fewer private prisons for immigrants, fewer immigrants are detained.** Indeed, we know that the rising growth in immigrant detention is due to locking up immigrants with no criminal conviction. The NWDC is one in a network of over 200 facilities across the country where migrants are caged. Where there are fewer immigration prisons, ICE detains fewer people. We can already see this happening in the case of Washington and Oregon. These states have similar immigrant populations (OR=10%, WA=14%), but Oregon doesn’t have a detention center. Oregon’s biggest immigrant detention facility is a county jail, NORCOR, which detains between twenty to thirty people daily through a contract with ICE. According to TRAC, over the past three years there were 5,000 immigration arrests in OR and 12,000 in WA - two and a half times as many. If we dismantle the infrastructure that allows for detention of our neighbors and family members, we expect less immigration enforcement in this state.

**The number of Washington State residents in the NWDC is already dropping.** Most people held at the NWDC are already from out of state and therefore are not receiving in person visits from family. Closing the NWDC will ensure the rate of Washington State residents in detention continues to drop dramatically, which means there will be fewer people from Washington to visit in detention centers anywhere in the US. **The existing contract gives authorities until 2025 to resolve the cases of people detained in Tacoma without transferring people to another prison.** People in immigrant detention are not serving time for a crime they are convicted of, but waiting for administrative hearings. The average time held at the NWDC is 85-90 days. It is incumbent on ICE to grant bond hearings and/or a resolution to civil detention cases to all people detained in fewer than five years.