

1 [Supporting California State Senate Bill 1289 (Lara) - Dignity, Not Detention Act]

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3 **Resolution supporting California State Senate Bill 1289, authored by Senator Lara, to**
4 **prohibit private for-profit companies from operating immigration detention facilities in**
5 **California, and to require that all detention facilities protect detainees' essential health**
6 **and human rights.**

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8 WHEREAS, In California there are currently four privately run immigration detention
9 facilities that hold well over 50% of detainees statewide, including people who are
10 undocumented, asylum seekers, long time green card holders and others who are waiting for
11 their immigration hearing; the remainder are held in county jail facilities contracted with United
12 States Immigration and Customs Enforcement (ICE); and

13 WHEREAS, Private immigration detention contracts are often designed to incentivize
14 filling the most beds at all times, regardless of the safety and impact on vulnerable
15 communities, all while not being subject to public transparency tools such as the Freedom of
16 Information Act (FOIA); and

17 WHEREAS, The Department of Justice on August 18, 2016, announced that they
18 would be phasing out all use of private prisons because they do not meet the standards of
19 public correctional facilities, including the safety levels, according to a report by the
20 Department's Office of the Inspector General; and

21 WHEREAS, Immigration law is civil and does not afford the same protections as our
22 criminal justice system, and there is no government-appointed counsel resulting in the vast
23 majority of detained immigrants fighting their cases without an attorney; and

24 WHEREAS, Conditions at many immigration detention facilities nationwide including in
25 California have been found to have substandard care ranging from physical, sexual abuse,

1 poor access to healthcare, poor access to legal counsel, overuse of solitary confinement and
2 even death; and

3 WHEREAS, LGBTQ immigrants in detention are a particularly vulnerable population
4 who have experienced additional abuse including being placed in solitary confinement and
5 being placed in housing pods not in accordance to their own gender identity, resulting in
6 cases of sexual abuse; and

7 WHEREAS, California State Senate Bill 1289 (SB 1289, the Dignity not Detention Act)
8 was introduced in the 2016 California legislative cycle by State Senator Ricardo Lara, co-
9 sponsored by the Immigrant Legal Resource Center and CIVIC, and has passed both the
10 state Senate and Assembly and is now on the Governor's Desk, and if signed into law would
11 (1) Stop the creation and renewal of certain contracts with for-profit immigration detention
12 facilities, (2) create a law in California that all facilities follow ICE's 2011 Performance Based
13 National Detention Standards, (3) provide additional protections for detained LGBTQ
14 immigrants including prohibiting the use of solitary confinement simply because of being
15 LGBTQ and ensuring that housing pods are assigned in accordance to an immigrant's own
16 gender identity; and (4) provide enforcement mechanisms if the aforementioned protections
17 are violated; and

18 WHEREAS, SB 1289 sends a strong message that California stands against mass
19 incarceration of immigrants and inhumane detention conditions; now, therefore, be it

20 RESOLVED, That the San Francisco Board of Supervisors states their support for SB
21 1289 and urges California Governor Jerry Brown to sign SB 1289 into law; and, be it

22 FURTHER RESOLVED, That a copy of this Resolution be delivered to the Offices of
23 California Governor Jerry Brown and Senator Lara.

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