Lizzy: Hi, I'm Lizzy Ghedi-Ehrlich.

Lisa: And I'm Lisa Hernandez.

Lizzy: And we are your hosts for Scholar Strategy Network's No Jargon. Every other week we discuss an American policy problem with one of the nation's top researchers, without jargon.

Lisa: And you know, today is a pretty complex episode. I'm definitely feeling a lot of feelings as we are recording this. I am in the state of Florida as I like to remind people all the time, and I am quite literally across the street from a lot of unmarked vehicles because I live in a Latino neighborhood and if you are one of those in this country right now, you know that a lot of things are happening there. A lot of new unmarked vehicles. A lot of policing is going on around these neighborhoods, so it's an interesting time

Lizzy: It's complex yet simple in a way, I think that's one one of my main takeaways from the conversation that I had. Why are we doing this? The surface level assumption might be because if we're arresting a bunch of people, I guess there was some unchecked criminality going on. Turns out there's maybe some other things going on that are still just as simple as that explanation, but a little bit more holistically true. And again, if this is your neighborhood, if these are people that you know, you're probably more likely to be like, this doesn't make any sense. These people are not rapists and murderers.

And how are we possibly having room to house all of these people? Are we creating criminals? Why would we do that? What is the incentivization? That's what we're gonna talk about today. That's what's really interesting to me here, and I'm glad that I got to learn more about it in this episode when I spoke to Professor Nancy Hiemstra.

She's an associate professor at Stony Brook University. She's a political geographer and her research focuses on U.S. immigration enforcement policies. She co-authored the book, "Immigration Detention Inc. The Big Business of Locking up Migrants” with her co-author, Deirdre Conlon of the University of Leeds in the United Kingdom.

Here's our conversation.

Lizzy: Professor Hiemstra, welcome to No Jargon.

Nancy: Thank you very much, Lizzy.

Lizzy: So today we're talking about the growing business of immigration detention here in the U.S. The number of people being held, it's at record highs. We're opening new facilities across the country. ICE received a truly historic influx of funding. I cannot overstate the exponential growth of funding to the agency that handles immigration enforcement and detention as part of the GOP budget bill.

You've been studying this. This isn't new for you. I'm interested in learning how you came to make this a focus of your research and kind of a big picture sense along that journey. Like, where do things stand right now when it comes to immigration detention in America?

Nancy: Well, I've been studying immigration detention for a really long time, really since the early 2000s. And at that time I was trying to find out kind of how the detention system worked, how people moved through the detention system, and even, in the 2000s, 2010s and teens, I could see that the system was already very chaotic, in terms of people kind of would go into detention and get lost in the system.

Deirdre and I started working together in 2012 on this project. She had been working, looking at other aspects of detention, and we came together asking the questions of: who is making money from immigration detention and how? Because, you know, at that time it was pretty obvious that there was already a lot of money involved in detention.

And so we started our project then coming to focus on six immigration detention facilities in New York and New Jersey. When we first started looking at this, it was still in the Obama administration. It was clear that under Obama, detention had grown exponentially, despite promises early in the administration that it would not. Definitely in the first Trump administration immigration really expanded. It dropped during the COVID years, and then after Biden became president, he again picked it up, grew the detention numbers, and now with Trump 2.0 as you noted, we're seeing this just, really aggressive expansion.

Lizzy: One clear instance of this expansion that I think people are talking about, we're opening all these new facilities. I thought it was interesting that you said just now six facilities in New York and New Jersey you studied. People don't even think of that at all. There's these high profile places that are being talked about in the news. We're giving them cutesy names sort of to describe what happens there, like Alligator Alcatraz. And so I think the focus is often on these border areas and of making some sort of game of it. But you're saying, well, yes, there's that, that's a more recent expansion, but this has been going on for quite a while. It's happening more quietly as well. You know, obviously there's all this money in detention. I think the public doesn't necessarily see it that way. So for folks that are not as familiar, what is it about these new detention centers? Are they different from the old detention centers? Is this just more of the same of what you and your colleague have observed? And what does this mean for the financial side of what we're talking about? Because I do think that is kind of not really in the American mind as much as maybe it could be.

Nancy: Absolutely. I mean, what, what Deirdre and I really, our goal with this project and then writing this book, we want to get the word out that detention is not just a border thing. There are facilities all over the United States, including Alaska and U.S. territories like Puerto Rico and Guam. These have really become important economic drivers in many of the communities where they are detaining immigrants. So you see entire communities becoming dependent on different aspects of detention. We hear a lot in the news about big private prison corporations such as GEO Group and CoreCivic, and certainly those are huge in driving this detention expansion and the policies behind it. But there are so many other entities in this web of economic dependence that we look at. So we are talking about county and state governments that will rent out parts of their county jails or state facilities or even build new facilities to get these ICE contracts. And that is not something new.

What we're seeing right now is a huge push on the part of the Trump administration to pull in more county governments, but you also see all these other companies that become involved, right? Even in county jails, they subcontract out really all of the key elements of their operations. So food service, medical care, in-store facilities called commissaries, communication, transportation security, right? So there's just this kind of huge network or web of other types of companies that become involved in detention.

And so when communities are around the country, I mean, definitely not just on the border, but all over the country are looking at economic opportunities right now as a lot of other funds are being cut, immigration detention is, appearing as this kind of easy opportunity, something that they can easily do to shift their focus either with existing facilities or inviting private companies in to run facilities. As we talk about in our book, this is really a massive driver of immigration policies right now as we're doing this kind of really aggressive deportation push that is really driven by goals of making money.

Lizzy: I'm glad that you said it so plainly. That is what your research has found. You and your co-author really, really looked at this, and that's not speculation. That's a clear thread that runs through the history of how this policy works because I know that I, even as a person who is a policy wonk and talks to experts like you and understands a lot of these kind of maybe more hidden things, it's so hard to let go of the idea that if someone is imprisoned, whether it's actual prison or whether it's something like a jail or a detention center where maybe they're, you know, awaiting trial, it has to be because they did something wrong or there was something bad. You know? That's just the assumption that we all have and because I think we want it to be true.

And so when I look at a government that, I mean, again, I just come back to the expansion of funding for this sector of American policy and and practice is just, I don't even know what to compare it to. Like it's as if your food budget for your family was $800 a month and then the next month it was like $2 million a month.

Like, you'd really be like, wow, it's not just, we're not just buying more caviar. We've gotta like, holy heck, how are we gonna do this? And you know, I think people who have that idea about crime and punishment would look at that and they'd have to assume that it's just that there are so many dangerous people and that this expansion has been driven by the fact that this is the level of workforce that's maybe needed to correct a problem.

And so what you are finding is actually this is, it's a massive economic shift and it feels both reactive and intentional. And I think that also makes an interesting point about why we haven't seen maybe as much policy difference when different parties are in charge, even if there's surface-level differences and how they talk about immigration and detention policy.

Nancy: You signal really something that is at the heart of this current expansion, which is the current ability of a lot of politicians, Republicans and Democrats alike, the ability and willingness to criminalize immigrants. Studies throughout time, it's nothing new, have shown that immigrants commit crimes at a much less rate than citizens. So this idea of criminality is just latched onto it is a myth and it is being blown up right now.

So you hear politicians repeatedly referring to immigrants as criminals, as illegals, right? Certainly you see, people being put into detention facilities, which are jails, and you assume, wow, these must be really hardened criminals, right? You buy that narrative that's being pushed, like these are all criminals. But what we're seeing now, the majority, the great majority of criminals being locked up in these facilities are not criminals, right? And they're only, sort of crime, is being in the country without documentation.

And also what we're seeing right now is, people who did have legal status, their legal status is being canceled. So they might have, you know, gotten parole, they are seeking asylum, they have DACA. Like all these different ways that people had legal status is suddenly being canceled. So someone who one day was legal, had done everything they were supposed to do, the next day, they are not.

And according to the current administration, that means that they are suddenly in this dangerous criminal category, So without these really, loud, successful narratives, we wouldn't be able to do this massive detention and deportation push. So I mean, this manipulation of myth and narrative is very intentional right now, right? And it's very easy to scapegoat immigrants. Throughout U.S. history, we have scapegoated immigrants, in times of economic downturn or cultural discomfort with kind of changing demographics. I mean, this is a pattern we have seen over and over again, but right now, I mean, it is this very kind of in your face, intentional manipulation of narratives and presenting myths of criminality as if they're true.

Lizzy: But then it's not just this myth that is helping, motivating a big enough sector of the electorate, to be compelling and to kind of, keep people in line with what's happening. There's also underneath it, this whole economy. So that's the thing that now I'm more interested in. So tell us more about the economies that surround the facilities, whether they're new or old, that are being used to warehouse these people.

Nancy: You know, in the book we kind of break it down into these different industry sectors. So one of them is food, food service. So this is a whole huge range of contractors. You have companies like Aramark, but also other names that perhaps may not be so big, more local or regional companies. The business model of these food companies is bad food, right? You make money by providing bad food or spending the least you can to feed the detainees because the people eating the food in detention is not the customer.

So the customer is the person who runs the facility. They want to spend as little as possible too, So, the companies really can get away with providing food that is just awful. I mean, you hear reports, it's insufficient in quantity, in quality. Reports of spoiled food, lots of people getting sick from the food, bugs in the food. Well so when you think of those food companies, there are all these other websites that spiral out. So you've got the main food company, but then they get their food, their supplies from a whole network of other companies, meat, dairy, et cetera. So you see all these other companies becoming dependent on supplying detention facilities.

We also look at medical care companies, So the huge one is Wellpath, but there are others. It's the same type of business model, They operate on a cost containment logic. They don't want to perhaps spend money on medical care, even though that is their job.

So we see detainees, really not receiving adequate medical care, very difficult time getting access to doctors, nurses to medication. It's so difficult if a detainee needs to, really should, receive offsite care. Requests are just ignored, denied, until things become really serious. One consequence of that is detainee deaths. This has always been a problem in detention, I mean, since we've been studying this. The spike in the rate of detention just since January is incredibly alarming. We just had the 14th recorded death in detention. And when people go back and look at these deaths in detention, not ICE or Immigrations and Customs Enforcement, they usually find it just was not a preventable death, but other reports show that it's simply from a lack of appropriate medical care. So people not getting timely medical care. So these are totally preventable deaths.

Lizzy: How do we communicate to people who would say, yeah, that sounds bad, and, okay, I accept that maybe not everyone in this system is a murderer or a rapist, but how can you justify giving more care, more money, more concern? Why are we thinking about the health and wellbeing of people who essentially are not our responsibility because of their citizenship status? Which feels to me like the most difficult part of sort of getting any kind of change to a system like this.

Nancy: If you are incarcerating a person, and essentially holding them in a place for an extended period, or any period of time, but especially extended periods of time, according to international law and a general sense of morality, you need to provide them appropriate care. This isn't spa treatments. This is things like, giving somebody their blood pressure medication so they don't have a heart attack. They're detained so long that, they are missing care for diabetes or cancer or they are having seizures in detention and they're being ignored, right?

They're not being taken to figure out what is going on. So it's not like these are cosmetic treatments or extras, right? These are just treating people as human. When you are holding people in a carceral facility, there does come some element of responsibility to at least regard them as human.

Lizzy: I guess I worry that we have lost some of that sense of responsibility and regard as human. But you've spoken with people who have been. And also people who've worked inside these systems who are also part of it. Can you give us some stories or examples of, you know, we're talking about this at a more theoretical level so far. What's it like for folks that you've talked to?

Nancy: To clarify, we have talked to some detainees and people, a lot of people who work in facilities, but a lot of where we get our information is from various reports. We have done a lot of public records, information requests at the federal and state and county levels to get documents.

There have been a lot of reports not done by ICE, but where they document being served food with maggots in it, being served food that immediately gave them some type of food poisoning. They see people writhing on the floor in their cell from severe abdominal pain who are just left to lie there for hours. And detainees witnessing other people dying, just because their calls are being ignored. There are a lot of accounts of family members too, just desperately trying to help people in detention, right? Just to make things more livable. You know, I think it is people experiencing the worst forms of dehumanization and a sense of helplessness.

Lizzy: Another portion of that—we're talking about again, people who are really living in a government created space where understandably, if you're being detained on the presumption of you are having some type of criminality, I understand why your freedom would be restricted, but I think it's interesting to think about the systems that this creates where you're sort of forced to make economic choices within that system. And I'm talking about commissaries here and quote unquote“voluntary labor programs.” This is an issue that touches your empathy space or not. We often get hung up on the maggots and the food and the people not receiving medical care. This is either an outrage or this is a justified suffering for people who've broken the law.

There's a whole other thing going on that seems less acute and less interesting maybe for those news bites, but people are also, they're not just sitting around necessarily. They're working sometimes. Can you tell us about the “voluntary labor” cycle?

Nancy: In the book, we talk about it, as this kind of cycle of captive consumers and coerced laborers. So people are hungry, they are sick, they’re cold, they're forced to wear dirty clothes, they need to make calls to family members or loved ones. To do those things. they often rely on commissaries to supplement different things to buy ramen, right? Just to get enough food to eat, to buy ibuprofen, to buy an extra pair of socks or a sweatshirt, so they're desperate for money. And so they're buying things in these in-store facilities called commissaries, that are hugely marked up.So we did price comparisons, between commissary prices like a Target or a Walmart, and found that prices are marked up routinely four to seven times higher than what you would pay in a store.

That may not seem like a lot of money, but it's just another way that these companies profit from detainees, so detainees need money to spend in these commissaries. Some might come in with their own money or they have family members who put money into their commissaries for a hefty fee is charged, to put the money in.

But a lot of times, they don't have money. And so they're desperate to get any type of money they can to spend in the commissaries. And so they often participate in these so-called “voluntary labor programs” in which they are doing jobs essential to the running of the facility: food preparation, cleaning, things like that. And for eight hour shifts, they are making $1 a day. So it comes out to about 12 cents an hour. And a lot of people talk about how they actually, it isn't really voluntary, they have to do these jobs.

Lizzy: Sure. It's a completely closed system.

Nancy: Right, exactly. So the facility operators are also, it's another way that they make huge profits.

They don't have to pay even minimum wage for the jobs to run the facility. So it's this incredibly exploitative system, where, you know, detainees are hungry, they are sick, they want to, need to buy things in the commissary so they are willing or even desperate to get these really horribly paid jobs just to be able to buy those things in the commissaries.

Lizzy: Describe the flow of money here because what I've heard is this administration just released a massive amount of our national budget to spend on these systems. So that's taxpayer money then in the facilities themselves. We've got absolute bare minimum spending on any of the components of the care that is part of the responsibility for people who are detained. We've got detainees themselves fulfilling a lot of the critical roles of, of running the centers again, at rock bottom cost. Who's profiting here? You know, where does the money end up that we just put into all of this?

Nancy: You know, you've got the big, prison corporations running a lot of these things. So CoreCivic GEO Group are some of the huger ones, but there are many others involved. You know, for CoreCivic, revenue from ICE was 44% of their total revenue, in 2022, which was over a billion dollars just from ICE. GEO Group’s similarly, 30% of total revenue. And these are 2022 numbers. I'm sure it's more, right now. They're receiving a lot of this money. You have local governments, who are renting out their county jails or different spaces to ICE. They're getting money coming in. Then you have all these other subcontracts, right?

So you have local governments that come to depend on this. To provide services to their communities to charge lower taxes, but then all these other economic players that we've been talking about, you know, this comes so that communities and households become dependent on this money either for their jobs, personal income and to sustain their households, but also, to make communities run.

So you see this this money kind of really spreading out in these ways that we think are really kind of changing the way that our entire economy works.

So instead of more money being provided by the government or money that's being provided for the government, for things like education and infrastructure, and social services. As those are being cut, the government is still spending that money and more, but now it's being spent in a very different way that is pushed out to the communities to different sectors of these economies in these very transactional way for immigration enforcement and detaining and deporting people. So, we're seeing a real shift in how the government spends its money and how communities can receive that money.

Lizzy: So, you know, given all of these costs, all of this harm, all of the ways that then the costs and the harm are becoming entrenched, there would be all these consequences it sounds like if say we just abruptly cut off the flow of this river, you know, if there was some kind of magic law that was passed, says we're not doing anymore for profit immigration detention. These contracts no longer exist.

That sounds like it would be hugely disruptive all the way down to the local level. What do we do to change the flow of this river? What are the policy levers that you and Deirdre uncovered that maybe folks should be looking at if they're thinking about ways to mitigate the shifts that we're seeing now?

Nancy: We talk about how this is not an inevitable system. It has been normalized. and it's being talked about as if, you know, detention is just something that we have to do. But, you know, before the 1990s, it was not the norm to detain immigrants. even as they were in deportation proceedings.

Even when we were working on deporting larger numbers of migrants. As the system has been built up—like in the early 1990s, our daily capacity was less than 5,000 people per day. So now we're over 60,000 people a day with the goal to get up to 104,000 people a day. The buildup in this system was accompanied with this push, this narrative that we have to detain people, that it's important to deter migration and for U.S. security and, you know, to prevent immigrants from absconding, right? And so with these narratives, we've grown this idea that it must be done.

And so, yes, a lot of communities, companies are becoming dependent on these industries, but that's not inevitable or—we can stop that. There's a lot that can be done to kind of shift where this money goes. Like, you know, we just cut a whole bunch of money from certain aspects of the federal budget, right?

And that money is being pulled from education, from infrastructure, from healthcare and plunked right into these kind of punitive carceral things like detention and deportation. That just happened a few months ago. Those types of things can be changed. And so I think there's a lot that can be done to kind of change these approaches, these shifting approaches of a lot of communities and companies to like, oh my gosh, this is money we have to get in on. And there are alternatives that have been used for decades that we can shift back to. And also new things that we can think about as our economy is changing. What can we do that isn't detention that isn't these really punitive things. I mean, we are an incredibly smart and creative people. We can think of things that are not dependent on locking up people.

Lizzy: And some states are moving away from private detention contracts. Are you seeing specific reforms that you think show promise? I want to get more granular here. I'm glad for the idea that this isn't inevitable. There are things we can do, some things are being done. What can you tell us a bit about them?

Nancy: There are a number of states, I can't remember the exact number, but I think it was around 10 who had put into place immigration detention bans, in the last five-ish years. So starting with California, other states like New Jersey and Maryland. They put in place bans that said that state and county governments could not enter into new contracts with ICE to detain people. Those have had some success. The problem is that, because, with federal government support, private companies in these states fought those bans to say, well, fine, maybe you can say county jails can't, but you can't interfere with the federal government's ability to enforce immigration laws and hire private companies.

So in New Jersey, for example, three of the county jails that we studied, were kind of forced to pull out of their ice contracts. However, there is still a private facility, Elizabeth Detention Center, a new private one was just opened and now the federal government is talking about using, another jail, and turning that into a detention facility operated by a private company, I think there are a lot of things that people can do to combat these ideas and the adoption of ICE facilities. I mean, there have been a lot of very successful protests, demonstrations, rallies going to elected officials, and making it clear that they don't want detention facilities in their locale. I think there are also many facilities saying like, yes, please come here. But there have been successes in terms of communities saying, we don't want this facility here.

I think fighting to change those money flows, to make it public, who is making money off of this, and what's going on inside. So we really have to fight for transparency because of course, while there are people who don't really care what happens to these, quote "criminal aliens," there are a lot of people who think it is wrong to be making money by starving and not giving people medicine.

Lizzy: But we have this very important cultural myth that if you are detained, if you are jailed, imprisoned, arrested, you had to have done something. But what we're seeing in the narrative is that I think it's interesting to see if it does take further hold—like I'm wearing a black shirt right now. If we made a law that said it was illegal to wear a black shirt, then I'd be a criminal as of that moment. And we're seeing that with more and more people to sort, because we need to feed the economic system that we're creating to sort of process them. And so at the root of all of that is our immigration system, which the narrative of our immigration system is broken, boy, that's been a refrain for the entirety of my adult life as an American. And you keep wondering, okay, why aren't we fixing it then? I feel like your research and what we've talked about today has given plenty of clues of why it's harder to do that. There's a lot of profit going on. There's a lot of really kind of infrastructure that's been built up around this. And so it doesn't just mean changing the law with all these people's jobs, all of these economies, local government, how we're funding other things. I'm interested just in your thoughts, you know, your, your parting thoughts on what would an immigration system that did prioritize human dignity and public safety in the ways that it seems like you and your colleague would be able to envision by seeing this kind of opposite.

What alternatives would be at the center of a system that would bypass what we've got today?

Nancy: I want to go back to one thing you said, because I think it's important, you know, if we create this incredibly hungry detention system that you know, okay, well, we run out of easy immigrants to deport by kind of changing legal statuses, what do we do then? We already see the current administration talking about reviewing everybody with a green card. They're threatening to look at people who, to naturalize citizens and reviewing their applications to see if they can find supposed lies to denaturalize those citizens and deport them.

And you know, if we label somebody a terrorist. You know that they're talking about changing the laws that then you can even deport U.S. citizens, if you do that right. So I think we also need to think bigger picture about where we're going by creating this very, kind of voracious, immigration detention system. How do we fix the broken system? I mean, I think we need realistic policies that take into account labor needs of the United States and connections across borders that have existed for decades, for centuries.

There are so many industries in the United States, that are dependent on immigrant labor,

For immigrants, that is driving so much of immigration, that is not going to change. Also I think we really need to pay attention to other factors that drive people to migrate, if you look at what's going on in Latin America. For example, a lot of the instability and violence there, the poverty, climate change that is driving a lot of the migration. The United States has had a hand in that for decades to varying degrees, right? And so if we're just gonna ignore that, the Trump administration has been cutting all types of funds to try to address the root causes of migration. If we're just going to ignore all that, we're just kind of, you know, putting a, what's a good analogy? Like a finger in a leak, in a dam wall, right?

Because that pressure is just going to continue to build up, and not to say that all of that is the United States. Responsibility. However, the U.S. does play a role, and by ignoring that completely, we're only making the problems worse.

And if we, you know, likewise, if we just ignore this demand, and the important role that immigrants play in our economy and all the amazing things that they contribute, culturally as well. I don't want to just talk about economic things, how they enrich our society, right?

If we are just going to ignore those things, wow, we're not going get very far. So I think we need to look at realistic policies about creating more legal statuses. Because when you make people illegal, it has this cascading effect on labor markets, on people's experiences that puts downward pressure on wages for the entire country, when you have people, families living with undocumented status, even one member. for long periods of time that also hurts their family's kind of economic lives, but also their entire community and their ability to kind of improve their community and contribute in multiple ways.

So, I mean, I think for Deirdre and I, this very punitive, this carceral, very negative criminalizing approach, there’s no good in that. What needs to happen is a larger shift in the narratives around immigrants and the policies that accompany that. So thinking about realistic, constructive policies instead of just these kinds of reactive, very, very negative policy.

Lizzy: Yeah. Well thank you for all the work that you've done speaking with us today to try to shift some of those narratives and give people some, some new things to, to speak about and to uncover on their own. We're really appreciative of you and Deirdre's scholarship.

Nancy: Thank you so much for having us. It's been a real pleasure to speak with you.

Lizzy: And thanks everyone for listening. For more on Professor Hiemstra and Professor Conlon's work, check out our show notes at scholars.org/nojargon.
No Jargon is the podcast of the Scholars Strategy Network, a nationwide organization that connects journalists, policymakers, and civic leaders with America’s top researchers to improve policy and strengthen democracy.

The producers of our show are Wendy Chow and Dominik Doemer. Our audio engineer is Peter Linnane. If you liked the show, please subscribe and rate us on Apple Podcasts or wherever you get your shows. You can give us feedback on X, formerly known as Twitter, @NoJargonPodcast or at our email address nojargon@scholars.org.