

Profiting From Human Misery

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Marela, an undocumented immigrant in her 40s, stood outside the Elizabeth Detention Center in Elizabeth, N.J., on a chilly afternoon last week. She was there with a group of protesters who appear at the facility's gates every year on Ash Wednesday to decry the nation's immigration policy and conditions inside the center. She was there, she said, because of her friend Evelyn Obey.

Obey, 40, a Guatemalan and the single mother of a 12-year-old and a 6-year-old, was picked up in an immigration raid as she and nine other undocumented workers walked out of an office building they cleaned in Newark, N.J. Her two children instantly lost their only parent. She languished in detention. Another family took in the children, who never saw their mother again. Obey died in jail in 2010 from, according to the sign Villar had hung on her neck, "pulmonary thromboembolism, chronic bronchiolitis and emphysema and remote cardiac Ischemic Damage.' "

"She called me two days after she was seized," Marela told me in Spanish. "She was hysterical. She was crying. She was worried about her children. We could not visit her because we do not have legal documents. We helped her get a lawyer. Then we heard she was sick. Then we heard she died. She was buried in an unmarked grave. We did not go to her burial. We were too scared of being seized and detained."

The rally—about four dozen people, most from immigrant rights groups and local churches—was a flicker of consciousness in a nation that has yet to fully confront the totalitarian corporate forces arrayed against it. Several protesters in orange jumpsuits like those worn by inmates held signs reading: "I Want My Family Together," "No Human Being is Illegal," and "Education not Deportation."

"The people who run that prison make money off of human misery," said Diana Mejia, 47, an immigrant from Colombia who now has legal status, gesturing toward the old warehouse that now serves as the detention facility. As she spoke, a [Catholic Worker](#) band called the Filthy Rotten System belted out a protest song. A low-flying passenger jet, its red, green and white underbelly lights blinking in the night sky, rumbled overhead. Clergy walking amid the crowd marked the foreheads of participants with ashes to commemorate Ash Wednesday.

"Repentance is more than merely being sorry," the Rev. Joyce Antila Phipps, the executive director of [Casa de Esperanza](#), a community organization working with immigrants, told the gathering. "It is an act of turning around and then moving forward to make change."

The majority of those we incarcerate in this country—and we incarcerate a quarter of the world's prison population—have never committed a violent crime. Eleven million undocumented immigrants face the possibility of imprisonment and deportation. President

Barack Obama, outpacing George W. Bush, has deported more than 400,000 people since he took office. Families, once someone is seized, detained and deported, are thrown into crisis. Children come home from school and find they have lost their mothers or fathers. The small incomes that once sustained them are snuffed out. Those who remain behind often become destitute.

But human beings matter little in the corporate state. We myopically serve the rapacious appetites of those dedicated to exploitation and maximizing profit. And our corporate masters view prisons—as they do education, health care and war—as a business. The 320-bed Elizabeth Detention Center, which houses only men, is run by one of the largest operators and owners of for-profit prisons in the country, Corrections Corporation of America. CCA, traded on the New York Stock Exchange, has annual revenues in excess of \$1.7 billion. An average of 81,384 inmates are in its facilities on any one day. This is a greater number, the American Civil Liberties Union points out in [a 2011 report](#), “Banking on Bondage: Private Prisons and Mass Incarceration,” than that held by the states of New York and New Jersey combined.

The for-profit prisons and their lobbyists in Washington and state capitals have successfully blocked immigration reform, have prevented a challenge to our draconian drug laws and are pushing through tougher detention policies. Locking up more and more human beings is the bedrock of the industry’s profits. These corporations are the engines behind the explosion of our prison system. They are the reason we have spent \$300 billion on new prisons since 1980. They are also the reason serious reform is impossible.

The United States, from 1970 to 2005, increased its prison population by about 700 percent, according to statistics gathered by the ACLU. The federal Bureau of Justice Statistics, the ACLU report notes, says that for-profit companies presently control about 18 percent of federal prisoners and 6.7 percent of all state prisoners. Private prisons account for nearly all of the new prisons built between 2000 and 2005. And nearly half of all immigrants detained by the federal government are shipped to for-profit prisons, according to [Detention Watch Network](#).

U.S. Immigration and Customs Enforcement (ICE), which imprisons about 400,000 undocumented people a year, has an annual budget of more than \$5 billion. ICE is planning to expand its operations by establishing several mega-detention centers, most run by private corporations, in states such as New Jersey, Texas, Florida, California and Illinois. Many of these private contractors are, not surprisingly, large campaign donors to “law and order” politicians including New Jersey Gov. Chris Christie.

In CCA’s annual report to the Securities and Exchange Commission for 2011, cited by the ACLU, the prison company bluntly states its opposition to prison reform. “The demand for our facilities and services could be adversely affected by the relaxation of enforcement efforts, leniency in conviction or parole standards and sentencing practices or through the decriminalization of certain activities that are currently proscribed by criminal laws,” it declares. CCA goes on to warn that “any changes with respect to drugs and controlled substances or illegal immigration” could “potentially [reduce] demand for correctional facilities,” as would “mak[ing] more inmates eligible for early release based on good behavior,” the adoption of “sentencing alternatives [that] ... could put some offenders on probation” and “reductions in crime rates.”

CCA in 2011 gave \$710,300 in political contributions to candidates for federal or state office, political parties and 527 groups (PACs and super PACs), the ACLU reported. The corporation also spent \$1.07 million lobbying federal officials along with undisclosed funds to lobby state officials, according to the ACLU. CCA, through the [American Legislative Exchange Council](#) (ALEC), lobbies legislators to impose harsher detention laws at the state and federal levels. The ALEC helped draft Arizona's draconian anti-immigrant law SB 1070.

A March 2012 CCA [investor presentation prospectus](#), quoted by the ACLU, tells potential investors that incarceration "creates predictable revenue streams." The document cites demographic trends that the company says will continue to expand profits. These positive investment trends include, the prospectus reads, "high recidivism"—"about 45 percent of individuals released from prison in 1999 and more than 43 percent released from prison in 2004 were returned to prison within three years." The prospectus invites investments by noting that one in every 100 U.S. adults is currently in prison or jail. And because the U.S. population is projected to grow by approximately 18.6 million from 2012 to 2017, "prison populations would grow by about 80,400 between 2012 and 2017, or by more than 13,000 additional per year, on average," the CCA document says.

The two largest private prison companies in 2010 received nearly \$3 billion in revenue. The senior executives, according to the ACLU report, each received annual compensation packages worth well over \$3 million. The for-profit prisons can charge the government up to \$200 a day to house an inmate; they pay detention officers as little as \$10 an hour.

"Within 30 miles of this place, there are at least four other facilities where immigrants are detained: Essex, Monmouth, Delaney Hall and Hudson, which has the distinction of being named one of the 10 worst detention facilities in the country," Phipps, who is an immigration attorney as well as a minister, told the gathering in front of the Elizabeth Detention Center. "The terrible secret is that immigration detention has become a very profitable business for companies and county governments."

"More than two-thirds of immigrants are detained in so-called contract facilities owned by private companies, such as this one and Delaney Hall," she went on. "The rise of the prison industrial complex has gone hand in hand with the aggrandizing forces of Immigration and Customs Enforcement, or ICE, which, by the way, has filed suit against the very government it is supposed to be working for because they were told to exercise prosecutorial discretion in their detention practices." [[Click here](#) to see more about the lawsuit, in which 10 ICE agents attack the administration's easing of government policy on those who illegally entered the United States as children.]

There is an immigration court inside the Elizabeth facility, although the roar of the planes lifting off from the nearby Newark Airport forces those in the court to remain silent every three or four minutes until the sound subsides. Most of those brought before the court have no legal representation and are railroaded through the system and deported. Detainees, although most have no criminal record beyond illegal entry into the United States, wear orange jumpsuits and frequently are handcuffed. They do not have adequate health care. There are now some 5,000 children in foster care because their parents have been detained or deported, according to the [Applied Research Center's](#) report "Shattered Families." The report estimates that this number will rise to 15,000 within five years.

"I am in family court once every six to eight weeks representing some mother who is surrendering custody of her child to somebody else because she does not want to take that

child back to the poverty of Guatemala, Honduras or El Salvador,” Phipps said when we spoke after the rally. “She has no option. She does not want her child to live in the same poverty she grew up in. It is heartbreaking.”

We have abandoned the common good. We have been stripped of our rights and voice. Corporations write our laws and determine how we structure our society. We have all become victims. There are no politicians or institutions, no political parties or courts, that are independent enough or strong enough to resist the corporate onslaught. Greater and greater numbers of human beings will be consumed. The poor, the vulnerable, the undocumented, the weak, the elderly, the sick, the children will go first. And those of us watching helplessly outside the gates will go next.

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