

June 18, 2013

RE: Support Senator Cardin's Amendment 1264 to S. 744 That Would Ensure Private Prisons and Detention Facilities are Held Accountable under the Freedom of Information Act (FOIA)

Dear Senator:

We, the undersigned faith-based, immigration, human rights, civil rights and criminal justice advocacy organizations, are writing to urge you to support Senator Cardin's Amendment 1264. Amendment 1264 would require private entities operating detention facilities and prisons that hold federal prisoners and immigration detainees to release information about the operation of the facilities and prisons in accordance with the Freedom of Information Act (FOIA) as any federal agency operating a facility is required. Currently, the Federal Bureau of Prisons (BOP) houses more than 29,000 prisoners in private facilities, and fifty percent of U.S. Immigration and Customs Enforcement (ICE) detainees are held in facilities owned or operated by private prison companies.

Since its enactment over forty years ago, the Freedom of Information Act (FOIA) has created the transparency necessary to ensure that the public and the media can access government records, with some limited exclusions. Such transparency is integral to government accountability, and is especially vital to protect individuals whose freedom has been taken away by the government. But currently, non-federal entities that receive federal funding – a category that includes private prison companies – are exempt from FOIA.

With an increasing number of federal prisoners and detainees being held in private facilities, it is essential that these facilities be held to the same standards of accountability as the federal government. Private facilities should promptly process requests for information and release information concerning detainees and prisoners in cooperation with government agencies under the FOIA laws. Amendment 1264 creates a mechanism for this to happen, while allowing private prison companies to protect proprietary information from public disclosure under existing exemptions to FOIA.

For these reasons, we urge you to support Senator Cardin's Amendment 1264. It will increase government transparency and accountability by requiring private prison companies, in cooperation with their government agency clients, to comply with FOIA.

Sincerely,

American Civil Liberties Union
AdvoCare, Inc.
African American Ministers In Action
AFSCME
Americans for Immigrant Justice

Amnesty International USA
Asian Law Alliance
Bill of Rights Defense Committee
CASA de Maryland
Center for Immigrants' Rights
Conference of Major Superiors of Men
Correctional Association of New York
Defending Dissent Foundation
Families for Freedom
Georgia Latino Alliance for Human Rights
Georgia Rural Urban Summit
Grassroots Leadership
Gulf Coast Center for Law & Policy
Heartland Alliance
Illinois Coalition for Immigrant and Refugee Rights
Immigration Equality Action Fund
International CURE
Just Detention International
Justice and Witness Ministries
Justice Strategies
Leadership Conference of Religious Women
Legal Services for Prisoners with Children
Lutheran Immigration and Refugee Service
Mexican American Legal Defense and Educational Fund
National Immigration Forum
National Religious Campaign Against Torture
No More Deaths
North Georgia Immigrant Justice Group
Political Asylum/Immigration Representation Project
Reformed Church of Highland Park, NJ
Rights Working Group
The New Sanctuary Coalition of NYC
The Sentencing Project
United Church of Christ
Washington Lawyers Committee on Civil and Human Rights