

Date: August 1, 2018  
To: Interested parties  
Subject: Local jails and U.S. Immigration and Customs Enforcement detention  
From: Christian Henrichson, Research Director, Center on Sentencing and Corrections

There are several ways that U.S. Immigration and Customs Enforcement (ICE) detains people. It operates a handful of its own facilities—called service processing centers—and supplements this capacity through contracts with privately run facilities and Intergovernmental Service Agreements (IGSAs) with local jails.<sup>1</sup>

Recent Vera Institute of Justice (Vera) research in Glades County, Florida, and Baker County, Florida, has examined the use of local jails—municipal facilities operated by locally elected sheriffs—to hold people in civil detention for immigration purposes.<sup>2</sup>

We found that the jails in Glades and Baker counties were intentionally overbuilt to hold people detained for federal authorities rather than those held for or sentenced by the local criminal justice system. In fact, the Internal Revenue Service revoked the tax-exempt status of bonds issued to build the Glades and Baker county jails because they were functioning as private businesses.

This prompts the question: **what other jails provide a large number of beds to ICE?** To answer it, Vera analyzed ICE detention data obtained through the Freedom of Information Act.<sup>3</sup>

## Findings

In summary:

- In FY2018, 142 out of the 2,872 jail jurisdictions across the nation held people for ICE through an IGSA.
- In FY2018, these 142 jails held a total of 10,577 people for ICE on an average day.
- In FY2018, these jails earned approximately \$340 million total to hold people for ICE.

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<sup>1</sup> Although most people held for ICE are detained in service processing centers, private facilities, and jails with IGSA agreements, there are a few other types of detention. See Transactional Records Access Clearinghouse, “About the Data,” <http://trac.syr.edu/immigration/reports/222/>.

<sup>2</sup> For research on Glades County, see Jacob Kang-Brown and Jack Norton, “More Than a Jail: Immigrant Detention and the Smell of Money,” Vera Institute of Justice, July 5, 2018, <https://www.vera.org/in-our-backyards-stories/glades-county-more-than-a-jail>. For research on Baker County, see Jacob Kang-Brown and Jack Norton, “Federal Farm Aid for the Big House,” Vera Institute of Justice, October 22, 2018, <https://www.vera.org/in-our-backyards-stories/federal-farm-aid-for-the-big-house>.

<sup>3</sup> This data contains information on people who are under ICE jurisdiction, not those who are held in a local jail on an immigration detainer or hold for 48 hours after they would have otherwise been released. Those holds are often related to the 287(g) or Secure Communities programs, which gives state and local police officers authority to enforce federal immigration laws as deputized federal immigration agents. For more information on the 287(g) program, see “The 287(g) Program: An Overview,” American Immigration Council, August 23, 2019, <https://www.americanimmigrationcouncil.org/research/287g-program-immigration>. For an overview of this data, see Tara Tidwell Cullen, “ICE Released Its Most Comprehensive Immigration Detention Data Yet. It's Alarming,” National Immigrant Justice Center, March 13, 2018, <https://immigrantjustice.org/staff/blog/ice-released-its-most-comprehensive-immigration-detention-data-yet>; and Tanvi Misra, “Where Cities Help Detain Immigrants,” *CityLab*, July 10, 2018, <https://www.citylab.com/equity/2018/07/where-cities-help-detain-immigrants-mapped/563531/>.

- Since FY2016, the number of jails holding at least one person for ICE a year increased 16 percent, from 122 to 142.
- Since FY2016, the average daily number of people held for ICE in local jails increased 35 percent, from 7,841 to 10,577.

These aggregate statistics, however, mask the fact that most people held for ICE are detained in a small number of county jails with IGSA.

- In FY2018, the 10 jails with the most people detained for ICE accounted for 45 percent of all people held for ICE in local jails, including Glades County, Florida (#5), and Baker County, Florida (#8). (See Figure 1.)
- In FY2018, the 40 jails with the most people detained for ICE accounted for 87 percent of all people held for ICE in local jails. (See Appendix Figure 1).

**Figure 1. 10 Largest IGSA county jail systems**

	County	State	FY18 ICE ADP	Estimated annual revenue
1	ORANGE	CA	852	\$36,707,946
2	YORK	PA	695	\$21,066,278
3	ESSEX	NJ	691	\$29,495,734
4	HUDSON	NJ	636	\$25,545,724
5	GLADES	FL	422	\$12,429,389
6	BERGEN	NJ	336	\$13,488,106
7	ETOWAH	AL	309	\$5,074,386
8	BAKER	FL	278	\$8,602,723
9	FULTON	GA	277	\$7,894,324
10	SHERBURNE	MN	256	\$7,474,366
	<b>Total</b>		<b>4,753</b>	<b>\$167,778,977</b>

Note: The FY2018 average daily population (ADP) was calculated as of November 6, 2017. Annual revenue was estimated by assuming the year-to-date population held for the duration of fiscal year 2018.

Additionally, the federal immigrant detention population held in local jails is concentrated in only a few states.<sup>4</sup>

- In FY2018, jails in 44 states held people for ICE. However, 10 states—with 53 IGSA jails—held 7,767 people for ICE, or 73 percent of the total held in local jails.
- The states with the most people held for ICE in local jails are New Jersey (1,664), California (1,415), Pennsylvania (1,004), and Florida (886). (See Figure 2.)

<sup>4</sup> It is important to note that the decision for a jail to enter into an IGSA is made at the local, rather than the state, level.

**Figure 2. States with the most people held for ICE in local jails (FY2018)**

	State	Jails	FY18 ICE ADP	Estimated annual revenue
1	NJ	4	1,664	\$68,567,107
2	CA	5	1,415	\$54,240,333
3	PA	8	1,004	\$35,391,555
4	FL	7	886	\$26,337,056
5	MA	4	673	\$22,987,399
6	IL	4	566	\$18,639,560
7	MN	7	440	\$12,517,816
8	MI	6	390	\$9,595,452
9	OH	4	369	\$7,807,513
10	AL	4	360	\$5,947,915
	<b>Total</b>	<b>53</b>	<b>7,767</b>	<b>\$262,031,705</b>

Notes: The FY2018 ADP calculated as of November 6, 2017. Annual revenue was estimated by assuming the year-to-date population held for the duration of fiscal year 2018.

## Methodology

To produce the tables in this memorandum, Vera analyzed data from the publicly available spreadsheet “ICE\_Facility\_List\_11-06-2017-web.xlsx” (worksheet: “Facility List – Main”).<sup>5</sup>

Local jails were identified by selecting those rows (Facilities) where the “Facility Operator” = CITY, COUNTY, COUNTY (SHERIFF), COUNTY (CORRECTIONS), COUNTY (JAILER), COUNTY (PRISON) for rows that had identifiable facility and state names (nine facilities that are flagged as city or county jails, holding 268 ICE detainees in FY2018, have redacted facility name data).

The FY2018 ADP is as of November 6, 2017. Annual revenue was estimated by assuming year-to-date ADP for the duration of FY2018.

<sup>5</sup> Data available at National Immigrant Justice Center, “ICE Detention Facilities as of November 2017,” <http://www.immigrantjustice.org/ice-detention-facilities-november-2017>.

## Appendix

**Figure 1. 40 Largest IGSA county jail systems**

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1	ORANGE	CA	852	\$36,707,946
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7	ETOWAH	AL	309	\$5,074,386
8	BAKER	FL	278	\$8,602,723
9	FULTON	GA	277	\$7,894,324
10	SHERBURNE	MN	256	\$7,474,366
11	MCHENRY	IL	255	\$8,830,237
12	CLARK	NV	245	\$9,492,315
13	PLYMOUTH	MA	233	\$7,968,159
14	CONTRA COSTA	CA	211	\$6,323,781
15	BRANCH	MI	197	\$4,390,016
16	SUFFOLK	MA	196	\$6,425,460
17	TULSA	OK	188	\$3,718,352
18	YUBA	CA	180	\$4,951,337
19	PIKE	PA	179	\$5,437,415
20	BRISTOL	MA	177	\$6,332,312
21	DODGE	WI	173	\$4,747,607
22	ORANGE	NY	172	\$8,427,679
23	PULASKI	IL	171	\$5,737,383
24	SACRAMENTO	CA	170	\$6,215,429
25	WORCESTER	MD	169	\$5,382,465
26	BUTLER	OH	167	\$3,244,470
27	KENOSHA	WI	143	\$3,657,300
28	KANKAKEE	IL	139	\$4,051,291
29	BOONE	KY	134	\$2,683,741
30	WAKULLA	FL	105	\$3,041,339
31	FREEBORN	MN	95	\$2,678,701
32	HOWARD	MD	88	\$2,886,107
33	CHASE	KS	86	\$1,518,369
34	SENECA	OH	84	\$1,783,724
35	SAINT CLAIR	MI	82	\$2,450,839
36	GEAUGA	OH	81	\$2,073,930
37	HALL	NE	77	\$1,778,781
38	MARSHALL	IA	71	\$1,289,493
39	FRANKLIN	MA	68	\$2,261,467
40	HARDIN	IA	67	\$1,719,880
	<b>Total</b>		<b>9,158</b>	<b>\$299,278,356</b>