

NY DIGNITY NOT DETENTION ACT

We have the opportunity to make New York State a true sanctuary for immigrants

While New York prides itself as a safe, welcoming space for immigrants, the state is still in business with Immigration and Customs Enforcement (ICE) to tear apart New York families. On any given night, hundreds of immigrants are detained by ICE in New York county jails and state prisons, subjected to ICE's abuses, inhumane conditions, as well as indefinite family separation. This is possible for two reasons: ICE needs detention facilities to cage immigrants and New York allows state agencies and private entities to contract with ICE to meet that need. Disturbingly, several counties in New York generate revenue from these ICE contracts while also expending finite local resources to provide substandard medical care, unsanitary food and water, and overtime wages for understaffed detention facilities. ICE is also constantly seeking to expand its detention capacity in New York state.

We can end the inhumane caging of our community members by passing the Dignity Not Detention Act (Salazar S306/ Reyes A4354).

What the Dignity Not Detention Act will do:

- Prohibit any person or entity in the state of New York from owning or operating immigrant detention facilities (i.e. state prisons, county jails, hospitals).
- Prohibit any entity in New York from entering into new immigrant detention contracts and from receiving any payments related to immigrant detention.
- Prohibit any entity in New York from renewing any existing immigrant detention contracts.
- Require any governmental entities in New York with existing immigrant detention contracts to exercise the termination provision in the contract.

What Dignity Not Detention will mean for New Yorkers:

- **Keeps New York families and communities together.** By stopping ICE's ability to detain people in New York, we will end the state's harmful and traumatic practice of tearing loved ones away from each other.
- **Protects people from harm and abuse.** Detention facilities, as with prisons and jails more broadly, are notoriously inhumane. Detained people regularly experience racist harassment and abuse from guards and staff as well as unsanitary water, inadequate food, and medical neglect, resulting in long-term trauma and disability in immigrant communities. New York must divest from ICE detention to keep New York communities healthy and safe.
- **Maintains New York's commitment to protecting immigrant communities.** By stopping ICE from caging immigrant New Yorkers statewide, the Dignity Not Detention Act will put into practice the state's values of protecting immigrant communities from family separation and its long-term, traumatic impact within New York communities.
- **Strengthens New York's commitment to racial justice.** Immigrant detention targets Black and Latiné communities. By ending its contracts with ICE, New York will defend and support Black and Latiné communities who are constantly threatened with anti-Black, anti-immigrant violence perpetuated by right-wing extremists and their enablers.

Join our fight! Scan the QR code on the right side of the page to sign your name/org in support of this effort and to learn about ways you can get involved.

For more information, visit nydignitynotdetention.org, follow us on Instagram (@abolishice_nynj) and Twitter (@abolishICE_nynj), or email us at dignitynotdetentionny@gmail.com.



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FREQUENTLY ASKED QUESTIONS

ARE OTHER STATES CONSIDERING SIMILAR LEGISLATION? Similar legislation was successfully passed and signed into law in New Jersey ([S3361](#), [A5207](#)), Maryland ([SB 478](#)), California ([SB 29](#), [AB 103](#)), Washington ([SB 5497](#), [HB1090](#)), and Illinois ([SB0667](#)). New Mexico ([HB40](#)) and Massachusetts ([S997](#)) have similar pending bills.

HOW DOES THIS BILL COMPLEMENT NEW YORK FOR ALL ACT? The [New York for All Act](#) broadly prohibits state and local law enforcement from funneling people into ICE custody and sharing sensitive information with ICE. The Dignity Not Detention Act gets New York out of the business of immigration detention by prohibiting New York entities and private persons from entering and renewing contracts with ICE. The two bills work together to create a safer New York.

DOESN'T NEW YORK STATE ALREADY BAN PRIVATE PRISONS? In 2007, New York passed legislation that prohibits the operation of private prisons in the state and committed itself to end incarceration for profit. That legislation, however, left a loophole that permits private prison companies to continue to contract with ICE and detain immigrant New Yorkers. This bill closes this loophole that has allowed immigrant New Yorkers to be prisoners-for-profit in New York for many years and puts New York back as a leading state in immigrant rights.

WHY SHOULD NEW YORK END CONTRACTS WITH ICE? When New York devotes its resources to jailing immigrants for ICE, it is an active participant in anti-immigrant policies. Ending immigration detention in New York will help end family separation by ICE. [Research](#) also shows that the likelihood of ICE arrests increases with ICE detention capacity: immigrants are more likely to be arrested and detained by ICE in counties with more detention beds as well as higher overall jail and prison capacity. By ending its contracts with ICE, New York can play a critical, long-term role in keeping New York families together and strengthening New York communities.

WHAT ABOUT THE TRANSFERS? ICE has the inherent authority to detain or release people in its custody. Yet on any given day, regardless of any law or contract termination, ICE abuses its power by quietly transferring people to out of state detention centers. This abusive, retaliatory practice of transferring people out of state is further evidence that New York must end detention contracts with ICE. [In July 2022](#), ICE transferred approximately 70 immigrant New Yorkers detained at the Orange County Correctional Facility in Goshen, New York to Natchez, Mississippi *regardless of any law or contract termination*. New York state cannot continue to risk the possibility of immigrant New Yorkers being transferred out of state, far from their families, communities, and legal support. New York must act now to keep immigrant families together by ending its contracts with ICE and fight for the [just closures](#) of New York's detention.

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