



Extradition to the United States, Part 3: Current Conditions and Recent Trends in Immigration Detention

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Considerations for Extradition Practitioners

Those facing extradition to the United States likely have concerns about current detention conditions in Immigration and Customs Enforcement (“ICE”) custody and whether such conditions could amount to human rights violations. As noted in our previous posts in our Extradition to the United States series, while extradited foreign nationals should be given the opportunity to voluntarily depart the United States, it is likely an extradited foreign national would come into contact with immigration detention for at least a brief period.

In our experience, ICE detention conditions vary depending on the particular facility. However, as is made clear by public reporting and facility inspections by Congressional committees and internal government watchdogs, immigration detention has historically been plagued by harsh conditions across administrations.

For example, a 2023 NPR report reviewed federal inspections during the first Trump administration, highlighting lack of access to medical care and mental health care; unsafe and filthy living conditions; racist abuse; improper use of force; and even deaths.ⁱ The report notes that the problems discussed in the 2017-2019

inspections persisted at the time of reporting. Similarly, a 2024 report published by the American Civil Liberties Union found that of 52 deaths reported by ICE between 2017 and 2021, 95% were preventable or possibly preventable if appropriate medical care had been provided.ⁱⁱ

While immigration detention conditions have been unfavorable across recent administrations, public reporting suggests that detention conditions are substantially deteriorating under the current administration. Indeed, 2025 was the deadliest year for ICE custody in more than two decades.ⁱⁱⁱ As of April 2026, 17 people have died in immigration detention.^{iv} This year is on track to be the deadliest yet.

A congressional report from U.S. Senator Jon Ossoff's office has identified, since January 2025, 510 credible reports of human rights abuses across 25 states and Puerto Rico, including 41 credible reports of physical and sexual abuse, 14 reports of mistreatment of pregnant women, and 18 reports of mistreatment of children, including children as young as 2 years old.^v A follow-up report by Senator Ossoff's office has identified, of those 510 reports, 85 credible reports of medical neglect and 82 credible reports of detainees being denied adequate food and water.^{vi} Detainees report being beaten and placed in solitary confinement after reporting abuse and being placed in holds in stress positions. Many of the reports of human rights abuses stem from facilities in the deep south, including Texas, Florida, Georgia, Louisiana, and California.

Expansion of Immigration Detention

With this administration's prioritization of immigration enforcement, detention, and deportations, funding is being allocated to increase ICE's detention capacity from approximately 37,000 detainees in 2024 to 107,000 detainees in 2026.^{vii} To meet its detention goals, the government is expanding its use of private prison contractors and local jails.^{viii}

Immigration advocates have long expressed concern about the government's use of private prison contractors, which house nearly 90% of people in ICE custody. Because for-profit detention companies are ultimately driven by profits, there is concern that the companies make cost-saving cuts wherever possible.

Additionally, government watchdogs have found that ICE fails to adhere to its own process for signing contracts with private prison contractors.^{ix}

In addition to increasing contracts with private prison operators, ICE is expanding relationships with state penal systems. Contracting with state jails blurs what is supposed to be civil detention with criminal detention. As with other immigration detention facilities, public reporting suggests poor and deteriorating conditions for detainees held at local jails.

For example, DHS recently announced a partnership with Louisiana that will allow immigrants to be detained at the nation's largest maximum-security prison with a history of being a prison plantation. Inmates filed a lawsuit as recently as 2023 against the conditions there, including working fields under armed guard and being exposed to extreme heat. Another example is ICE's partnership with the Miami Correctional Center in Indiana, nicknamed by DHS as the "Speedway Slammer." Two immigrant detainees have since died within two months of each other at the facility.^x

In addition to meeting detention needs with new contracts with private prisons and local jails, DHS is also buying up warehouses to convert into detention centers. ICE intends to convert 16 buildings into large-scale processing centers that could house 1,000–1,500 people for short-term processing. ICE has plans for an additional 8 large-scale warehouses that would house 7,000–10,000 people at a time.^{xi}

As highlighted by the Brennan Center for Justice:

"The approach of purchasing warehouses – many of which will be difficult to properly ventilate, were not built to house thousands of people, and are likely to create conditions for the rapid spread of disease – dovetails with the administration's inhumane and punitive tactics for expanding immigrant detention and deportation. Notably, ICE's acting director, Todd Lyons, [said](#) at a conference in April 2025, 'We need to get better at treating [deportation] like a business . . . like [Amazon] Prime, but with human beings.'"^{xii}

Recommendations for Extradition Defense Litigators

- Identify the U.S. state or region your client is likely to be detained in based on their destination of extradition and conduct facility-specific research. (Although note that immigrant detainees can be transferred anywhere across the country depending on facility capacity and resources).
- If your client ends up detained in harsh conditions and needs assistance, particularly regarding access to counsel or medical care, contact the U.S. Representative or Senator for the state in which the facility is located.

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Sources Cited

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- ^v Senator Jon Ossoff, *The Abuse of Pregnant Women & Children in U.S. Immigration Detention* (July 30, 2025), https://www.ossoff.senate.gov/wp-content/uploads/2025/08/250721_Pregnancy_Report_v7.pdf.
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- ^{viii} Meg Anderson, *Private Prisons and Local Jails are Ramping Up as ICE Detention Exceeds Capacity*, NPR (June 4, 2025), <https://www.npr.org/2025/06/04/nx-sl-5417980/private-prisons-and-local-jails-are-ramping-up-as-ice-detention-exceeds-capacity>.
 - ^{ix} See *Immigration Detention: Actions Needed to Improve Planning, Documentation, and Oversight of Detention Facility Contracts*, Government Accountability Office, GAO-21-249, <https://www.gao.gov/assets/gao-21-149.pdf> (Jan 2021) (“From fiscal year 2017 through May 11, 2020, ICE entered into 40 contracts and agreements for new detention space. GAO’s review of ICE’s documentation found that 28 of 40 of these contracts and agreements did not have documentation from ICE field offices showing a need for the space, outreach to local officials, or the basis for ICE’s decisions to enter into them, as required by ICE’s process.”)
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