



Testimony for the Land Use & Transportation Committee

Council Bill 26-0157– Private Detention Centers – Citywide Ban

FAVORABLE

April 30, 2026

The ACLU of Maryland supports Council Bill 26-0157, which adds private detention centers to the list of prohibited uses in section 1-209 of the Zoning Article in the Baltimore City Code. The principles this bill advances are essential to public accountability and to the city's fundamental obligation to ensure that people deprived of their liberty and communities are not subject to unsafe environments.

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Across systems of detention, criminal, civil, and administrative, we have seen a dangerous trend toward expanding carceral capacity through expediency rather than care. The federal government is purporting to use warehouses, and other structures never intended to confine human beings for detention with little to no public input from state and local governments or the communities.¹ Council Bill 26-0157 draws a necessary and principled line by expressly stating that the use of private detention facilities that have little to no regard for the wellbeing of the people detained in them or the communities in which they reside have no place in Baltimore city.

Detention is one of the most severe exercises of government power, in which it assumes complete responsibility for that person's safety, medical care, and basic human needs. Facilities not designed for detention will inevitably fail to meet those obligations. Current improvised detention spaces, like the now infamous Alligator Alcatraz, or Ft. Bliss, a tent-like camp on a military base, are associated with overcrowding, medical neglect, and multiple deaths.² These failures are not isolated accidents—they are the predictable result of placing human beings in hastily built cages with no regard for their humanity.

Across the detention landscape, privatization has created powerful financial incentives to cut corners, reduce staffing, and minimize

¹ Jonathan O'Connell & Douglas MacMillan, ICE Buys Warehouses for Mass Detention Network, Rattling Locals, Wash. Post (Jan. 30, 2026), available at <https://www.washingtonpost.com/investigations/2026/01/30/ice-warehouse-detention-dhs-immigration/>

² ICE Letter re: Fort Bliss, American Civil Liberties Union (Dec. 8, 2025), available at <https://www.aclu.org/documents/ice-letter-re-fort-bliss>

medical and mental health care.³ Private detention operators often function with little transparency, shielded from public records laws and routine oversight, even while exercising coercive power over people's lives. This lack of accountability undermines public trust and erodes constitutional and human rights protections. Additionally, any concern about federal preemption should not deter this body from acting. Cities have long exercised their right to regulate health, safety, land use, and the operation of detention facilities within their jurisdiction.

Council Bill 26-0157 challenges us to confront a deeper question that cuts across all systems of detention: how comfortable are we in allowing human confinement to expand in the shadows, driven by cruelty, convenience, and profit rather than necessity and care? People in detention—whether accused, convicted, or held under civil authority—remain human beings. They do not lose their right to safety, dignity, or basic decency at the moment a door locks behind them. For these reasons, we respectfully urge the Committee to issue a favorable report on Council Bill 26-0157.

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³ Immigrants Sue Trump Administration Over Inhumane Conditions at California's Largest Immigration Detention Center, American Civil Liberties Union (Nov. 13, 2025), available at <https://www.aclu.org/press-releases/immigrants-sue-trump-administration-over-inhumane-conditions-at-californias-largest-immigration-detention-center>