



The undersigned organizations, representing the [Federal Anti-Solitary Taskforce \(FAST\)](#), are writing to express our strong opposition to **S.5 / H.R. 29, the “Laken Riley Act.”** Among other concerns, the revised legislation only exacerbates our concerns and will greatly expand the inhumane practice of immigration detention by mandating the mandatory detention of people arrested for, charged with, or convicted of theft-related charges, including children and teens. We believe that this would have serious and far-reaching consequences, not only for the individuals affected but also for the integrity and sustainability of our immigration system.

As you may know, federal agencies and executives already have broad discretion, under current law, to detain any person in deportation proceedings—especially those who are convicted of committing a crime. The U.S. prison system is already overburdened, with facilities operating at or above capacity in many states. By imposing mandatory detention, this bill would likely result in a drastic increase in incarceration, further straining our detention infrastructure leading to conditions that are not only inhumane but also counterproductive to justice and public safety.

One of the most troubling outcomes of such overcrowding is the increased reliance on solitary confinement as a management tool. Studies have consistently shown that solitary confinement is inhumane, often causing severe psychological and physical harm to those subjected to it. Solitary confinement of any length of time can lead to self-mutilation, suicide, heart disease, anxiety, depression, psychosis, mental and physical deterioration, and a significantly heightened risk of death. Solitary reinforces a racist, brutal, and punishment-focused incarceration system, rather than one that supports growth and transformation.

Due to a severe lack of space and staffing in migrant detention, even individuals categorized as part of the "general population" often cannot be guaranteed meaningful time outside their cells. Detention facilities are already operating at or beyond capacity, leading to dangerous conditions. Recent changes to the bill put children at risk of mandatory and indefinite detention. Beyond the issues of overcrowding detention facilities for minor offenses, this bill creates a dangerous environment for children. Even brief detention is harmful to children, and there is simply no “safe” way to detain a child, including juveniles, for an indefinite period.



In 2024, 475 doctors, nurses, and other healthcare professionals signed a letter initiated by Physicians for Human Rights pleading with the Biden Administration to end the practice of solitary confinement in immigration detention due to the severe health harms caused by solitary. The American Academy of Child and Adolescent Psychiatry also noted that petty theft is not uncommon among teens, and that the recommended approach to these situations is to work with parents or guardians, not to involve law enforcement. We would urge every member of Congress to take the advice of doctors, scientists, and experts and bring humane solutions to the situation while not compromising the nation's moral values in pursuit of a false sense of safety.

The legislation currently under consideration will worsen existing challenges, creating conditions that have been condemned by human rights organizations and correctional experts. Rather than promoting safety and accountability, these policies will perpetuate cycles of suffering and injustice that affect the most vulnerable populations in our country.

We strongly encourage you to oppose and vote NO on S.5. Instead, we advocate for fair and humane immigration policies that uphold the principles of due process and justice. Addressing immigration challenges requires comprehensive solutions that respect human dignity, rather than measures that worsen the problems within our immigration system.

Thank you for your attention to this critical issue. FAST would welcome the opportunity to discuss this matter further or provide additional resources to assist you in your decision-making process.

Sincerely,

American Civil Liberties Union (ACLU)

Center for Constitutional Rights

**The New York Campaign for Alternatives
to Isolated Confinement (#HALTsolitary
NYCampaign)**

**National Religious Campaign Against
Torture**



Unlock the Box
The National Campaign to End Solitary
Confinement

Zealous

The Federal Anti-Solitary Taskforce (FAST) aims to end solitary confinement in federal prisons and detention facilities, as well as in states, and is made up of civil rights, human rights, faith, and health organizations and leaders. Its members include people who have survived or had family members in solitary confinement, and their allies.