

# Immigrant detention in Kansas

## Major opposition to reopening Leavenworth facility

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Kansas News Service

LEAVENWORTH - Nestled into the crook of a wooded two-lane highway on the edge of northeast Kansas, a complex of concrete and barbed wire sits mostly vacant - for now.

For over a decade, the Leavenworth Detention Center held federal inmates awaiting trial. But that chapter closed in 2021, when then-President Joe Biden signed an executive order that caused many federal contracts with private prisons to expire.

Now CoreCivic, one of the country's largest private corrections companies, wants to reopen the more than 1,000 bed complex in Leavenworth as an immigrant detention center.

The dormant facility would adopt a new name, the Midwest Regional Reception Center, and a new mission: to boost regional capacity for President Donald Trump's push to deport millions of people in the country without legal status.

But a lawsuit stands in the way of CoreCivic's proposal. Under local ordinance, the city of Leavenworth argues CoreCivic needs to follow a formal process to receive permission before it can reactivate. The company insists those rules don't apply to them because, in their view, the facility never closed.

On the surface, it's a mundane matter of statutory interpretation. But for the groups who oppose CoreCivic's plan to reopen the detention center, it's a fight to protect their immigrant neighbors and keep traumatic memories of the troubled prison firmly buried in the past.

Former corrections officer William Rogers remembers where he was when an inmate slashed his head open with a blow from a metal lunch tray.

Squinting into the sunlight, he pointed at a slate-gray building scored with tall, narrow windows. Behind that same unbreakable glass in 2018, he said, an inmate started to threaten a case counselor.

"Man, I'll hit a woman. Don't think I won't," Rogers recalls the inmate saying.

He reported those threats and started to transfer the inmate to a different unit. That's when the man decided to take his anger out on Rogers instead.

"When he hit me in the back of the head - I mean, it hurt. But I didn't know it was split open," he said. "Because at

that point you're just going to fight."

Rogers finished his shift that day with 14 staples in his head.

That was one of three instances in Rogers' four years at the facility when an inmate assault sent him to the emergency room. Despite the violence he and his colleagues endured, Rogers doesn't place all the blame on inmates who lashed out.

He said understaffing created unbearable conditions for detainees. Coveted recreation hours dwindled without enough officers to run them. The same problem arose for staff that helped set up phone calls, manage commissary money and provide basic needs like clothing.

"They're just in that pot all day brewing," Rogers said. "How do you think they're going to act?"

A 2017 audit of the facility by the U.S. Department of Justice found that chronic understaffing by CoreCivic, coupled with poor oversight by the U.S. Marshals Service, created dangerous conditions for inmates and staff.

At one point, according to the report, nearly a quarter of the facility's jobs sat vacant. Recently-hired staff were assigned to fill roles they weren't trained for. Staff put three inmates in cells designed for two - and then tried to cover that up. Entire units went unsupervised.

Chapters of the American Civil Liberties Union from around the region made more explicit accusations about the facility in a 2021 letter urging the White House to ensure its closure.

"Stabbings, suicides, and even homicide have occurred with alarming frequency in the last year, with weapons, drugs, and other contraband now a common occurrence," the letter said.

It continued, "food has been restricted, contact with legal counsel and family denied or curtailed, medical care is limited, and showers are infrequent because the facility is too unsafe."

In an email to the Kansas News Service, CoreCivic spokesperson Ryan Gustin acknowledged that the facility faced security challenges in the past. But he said most issues with safety and staffing were concentrated during an 18-month period coinciding with the pandemic.

Gustin said CoreCivic has learned from those challenges



William Rogers worked as a corrections officer at CoreCivic from 2016 to 2020. He's a vocal critic of the plan to reopen the facility as an immigrant detention center.

and plans to ensure a secure environment with a more stable job market.

"At any of our facilities, including MRRC, we don't cut corners on care, staff or training, which meets, and in many cases exceeds, our government partners' standards," he said.

### CoreCivic's Defense

While activists and community members repeat allegations about the facility and the U.S. immigration system, CoreCivic and its supporters put forward arguments of their own.

In email records Rogers obtained via an open records request, CoreCivic made a number of promises to city officials about how the facility would benefit the community.

The company said reactivating the facility would create 300 well-paying jobs and bring in millions of dollars in property tax revenue and direct impact payments.

Gustin told the Kansas News Service that over 1,000 people have applied for jobs at the Midwest Regional Reception Center. Those listings are online despite the city's pending lawsuit to block the detention center from reopening.

Tammy Reid, a quality assurance manager who worked at CoreCivic for 24 years, spoke favorably of the company at a recent public hearing.

"I found that they have been supportive in this community and they are very supportive in their staff also," she said.

The company also promised to use local construction workers to update the facility. However, Leavenworth city records show that CoreCivic is currently paying a Texas-based company more than \$1 million for roof repairs.

CoreCivic told the Kansas News Service they sought bids from local vendors, but landed on an out-of-state contractor

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because they had the needed experience and clearance from a previous project.

So far, the company says it has spent about \$400,000 working with local vendors.

Some local lawmakers have promoted CoreCivic's proposal. Republican Rep. Pat Proctor, who opposed the company's failed bid for an ICE contract in 2023, said he now supports the facility reopening.

He said the company had addressed his concerns that the facility would hold detainees indefinitely or release them into the community.

"CoreCivic's new facility fulfills a critical need for detention space, as DHS struggles to manage a huge operation, deporting the millions of illegal immigrants that flooded our country through Joe Biden's open borders," Proctor said in an email to the Kansas News Service.

State Sen. Jeff Klemp, a Republican, defended CoreCivic and criticized the city's lawsuit against it in an op-ed for the *Leavenworth Times*.

"For this to turn litigious at the expense of taxpayers hardens positions, creates division and is concerning," he wrote.

### The Lawsuit

While opposing sides trade barbs in the court of public opinion, CoreCivic only needs a win in federal court to move ahead.

Steve Leben, a law professor at the University of Missouri-Kansas City and a former judge on the Kansas Court of Appeals, said conflicts arising from local zoning ordinances

are commonplace. But the legal question here is murky.

Local rules require certain facilities that have not operated for 12 months to reapply for a special use permit. That is a two-month process involving multiple hearings for public input.

CoreCivic applied for a special use permit in February. But before the first public hearing the company withdrew its application - insisting it's unnecessary.

In the three years since the facility has housed inmates, CoreCivic maintains that it wasn't closed because they have employed maintenance staff and actively sought contracts to reopen.

Leben said District Judge Toby Crouse will have to decide how local rules apply to CoreCivic.

"I don't think it's actually clear in Kansas law which way that comes out," Leben said.

Legal proceedings kicked off on April 23 in Topeka. CoreCivic has agreed not to resume operations through June 1.

Rogers said he'll be watching the case closely. The 60-year-old city maintenance worker dedicates hours of his free time to activism against CoreCivic.

Above all, Rogers said he's worried that the potential for mismanagement and abuse will be amplified for immigrant detainees.

"They're leaving the country two days later. Who are they going to tell? Who are they going to talk to? Who's going to believe them?" he said.

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