

Stopping the Development of ICE Detention Warehouses

Goal

Prevent or significantly delay the conversion of warehouses into ICE detention centers by using legal, regulatory, political, and community-based pressure points.

Core Tactics and Where They Can be Applied

Zoning and Land Use

Local zoning codes often distinguish between industrial warehousing and institutional or correctional uses. Detention centers may require conditional use permits, special exceptions, or rezoning, all of which trigger public hearings and local votes.

Local Infrastructure Limitations

Many rural communities lack adequate water, sewer, road capacity, emergency services, and hospital access. These deficiencies can block approvals or require costly upgrades that make projects unviable.

Environmental Regulations

Environmental review laws can be triggered by traffic increases, stormwater runoff, watershed impacts, or proximity to protected habitats or species. Projects may also exceed the scope of original environmental approvals granted for warehouse use.

State Law Ambiguities

Gaps or unclear definitions in state law around detention, corrections, or institutional facilities leave room for legal challenges and regulatory interpretation. These ambiguities can be used to force additional review or halt approvals.

State Legislative Action

Legislation like proposals in Maryland to ban or restrict warehouse-to-detention conversions provides a model for Pennsylvania. Even introduced bills can slow development and change political calculations.

Stopping or Challenging Sales

Property sales can be delayed or challenged through zoning noncompliance, deed restrictions, title issues, or public subsidy scrutiny. Developers often depend on quiet, fast transactions.

Public Pressure Campaigns

Community opposition has successfully stopped similar projects and prevented sales from going through, including in Ashland, Virginia. Sustained public pressure raises reputational risk for developers, financiers, and local officials.

Administrative Delays

Requests for additional studies, inspections, licensing, and documentation increase timelines and costs. Delays alone can cause investors or developers to walk away.

Building and Safety Codes

Detention facilities must meet stricter building, fire safety, and occupancy standards than warehouses. Misclassification can invalidate permits.

Public Health Oversight

Health department reviews related to sanitation, disease prevention, and access to care can require extensive upgrades or deny approvals.

Traffic and Transportation Impacts

Mandatory traffic impact studies can expose unsafe road conditions and require expensive mitigation.

Federal Review and Transparency

Environmental review under the National Environmental Policy Act (“NEPA”) and public records requests can expose shortcuts, conflicts, and procedural failures. ICE often tries to bypass the required environmental impact statement by claiming exclusions.

Lost Revenue

Municipalities stand to lose a significant amount in lost revenue as the Federal Government doesn’t have to pay property taxes.

Strategic Framing

This issue should be framed as the federal government imposing detention infrastructure on rural communities without consent, benefit, or adequate resources, while diverting land from productive local use.

Stopping these facilities does not require a single silver bullet. Delays, scrutiny, cost increases, and public opposition can collectively stop or derail projects before they become operational.