

Options for Release from Detention for Asylum Seekers

BOND

What is Bond?

- Some individuals are eligible to pay a bond and be released from detention while their immigration cases are pending.
- A bond is an amount of money that is meant to ensure that you will continue to appear at your immigration hearings if you are released from detention.

Am I eligible for bond?

- If you are an “arriving alien”—**if you arrived at the bridge seeking asylum—you are not eligible for bond from an immigration judge. Your only option for release from detention is parole.**
 - In addition, you are not eligible for bond if you have been convicted of certain crimes.
 - You can ask for a hearing with the immigration judge to determine what your bond amount will be.
 - If you believe you are eligible for bond, please speak with us to get more information about how to ask for a bond or how to have your bond reduced if you already have one.
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PAROLE

What is parole?

- Parole is a form of release from detention for certain individuals.
- Immigration and Customs Enforcement (“ICE”) has a policy that creates a **presumption in favor of release** on parole for persons who demonstrate a credible fear of persecution if they are returned to their country, but **there is never a guarantee that you will be released on parole!**
- An officer from ICE must review your case and decide whether you will be released. The person who makes this decision is usually your deportation officer.
- You must demonstrate to ICE that you are not a dangerous person, and that if you are released you will continue to appear at your immigration hearings in the future.

Will I be considered for parole?

- Not everyone is eligible for parole.
- If you are an “**arriving alien**” and you have passed your credible fear interview, then you will automatically be considered for parole. An “arriving alien” is a person who came to the border (the international bridge between Mexico and the United States) and applied for asylum.
- Remember, this does not mean that you will definitely be released from detention. There is never a guarantee that anyone will be released on parole.

Who decides if I will be released on parole?

- The immigration judge cannot release you on parole. The judge will not know anything about the status of your parole request.
- Only an immigration officer (someone who works for ICE) can make the decision to release you on parole.

WARNING: These instructions provide general information only and may NOT be construed as legal advice. Immigration law changes often and the information provided here may not be up to date. You should consult with an immigration attorney to get the most recent information.

- Immigration judges and ICE officers work for completely different departments in the government. Judges work for the Executive Office for Immigration Review (“EOIR”) and immigration officers work for Immigration and Customs Enforcement (“ICE”).
- If you have questions about parole or there is a problem with your case you should talk to your deportation officer.

What are the requirements to be released on parole?

1. You must **pass your credible fear interview** with the asylum officer.
2. You must have **sufficient identity documents**.
3. **You must provide a name and address of a friend or family member with whom you will reside if you are released. Your deportation officer will call this person.**

What do I do about my asylum case while I am waiting to be released from detention?

While you are waiting to be released from detention, your case will continue to proceed with the immigration court. **You can and should ask the judge to continue your case while you are waiting for release.** At Willacy Detention Center, the immigration judges will typically allow you to continue your case at least two times without issue. However, in our experience, the judge may grow tired of continuing your case and may expect you to turn in your asylum application by your third court date.

***Most people are released before they are expected to turn in their I-589 application for asylum.

However, if the judge gives you a deadline to file your application, you need to file it by that date. If you do not file your application, the judge could order your removal. ***

How long will it take before I am released?

- There is no way to know for sure how long it will take to be released, or even if you will ultimately be released. Because this policy of release is still new, there are often problems in the system, and it is difficult to estimate the average waiting time.

What happens after I am released on parole?

- When you are released, you will be dropped off at a local gas station near the detention center in Raymondville, Texas. Some local bus lines make stops at the gas station.
- Your deportation officer will typically give you one free phone call before you are released.

What do I need to do after I am released from detention to make sure my asylum case continues normally?

- When you arrive at the address where you plan to stay (with a friend or family member) you must update your address with the immigration court. Do this by completing form EOIR-33/IC (the blue form you received upon release) and filing it with the immigration court. It is extremely important that the immigration court has your correct address so that you will receive any hearing notices or documents they file in your case.
- Remember that until you ask the court to transfer it, your asylum case will proceed with the immigration court in Harlingen, Texas. You will need to ask the immigration court to transfer your case to the court closest to where you live. For example, if you are still living in Atlanta, you can ask for your case to be moved to the court in Atlanta. We can provide you with a sample document that you can file with the court in order to ask to have your case transferred.

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