



U.S. Immigration
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New ICE program gives non-criminal fugitive aliens opportunity to avoid arrest and detention

Aliens and families to benefit from coordinated removals

WASHINGTON — U.S. Immigration and Customs Enforcement (ICE) announced today the launch of a pilot program, Scheduled Departure, which will begin next week in five cities. The program allows fugitive aliens who have no criminal history and pose no threat to the community an opportunity to remain out of custody while they coordinate their removal with ICE.

The program complements ICE's Fugitive Operations Program which targets fugitive aliens for arrest and removal from the United States. ICE's fugitive operations teams give top priority to cases involving fugitive aliens who pose a threat to national security and community safety; and thus far in FY 2008, they arrested more than 26,000 fugitives and other immigration status violators. There are 90 active fugitive operations teams, with 15 more scheduled to be deployed in the next two months.

"This program addresses concerns raised by aliens, community groups, and immigration attorneys who say ICE unnecessarily disrupts families while enforcing the law," said Julie L. Myers, Homeland Security Assistant Secretary for ICE. "By participating in the Scheduled Departure Program, those who have had their day in court and have been ordered to leave the country have an opportunity to comply with the law and gain control of how their families are affected by their removal."

Initially, the Scheduled Departure Program will run from Aug. 5 to Aug. 22 and may be expanded as ICE continues to evaluate the pilot. Participation in the program ends the risk of sudden arrest and detention for certain non-criminal fugitives. Those with families can particularly benefit from this program. It allows qualifying aliens to make removal arrangements without being held in custody, which will ease their transition and minimize the impact of their removal on their loved ones. In addition, ICE will allow eligible participants to arrange for their families to depart together, should they so desire. Non-criminal fugitive aliens who live in or around Santa Ana, Calif., San Diego, Phoenix, Chicago and Charlotte can visit their local ICE Offices of Detention and Removal Operations to discuss their departure plans.

Prior to the launch of this pilot program, most fugitive aliens would have been considered to be a flight risk and so would have remained in custody until their removal. By coming forward and participating in the program, ICE will no longer consider the alien to be a flight risk.

There are approximately 572,000 ICE fugitives in the United States, including 457,000 who do not have criminal histories. An ICE fugitive is defined as an alien who has failed to depart the United States based upon a final order of removal, deportation, or exclusion from a U.S. immigration judge, or who has failed to report to ICE after receiving notice to do so. Only non-criminal fugitive aliens are eligible for the program and will be screened by an ICE officer when reporting to verify status. ICE officers will update immigration databases, and explain supervision requirements to eligible aliens. Aliens who qualify would be allowed to remain in the community with a reporting requirement or an electronic monitoring device. Since all situations are unique, an ICE officer will notify the alien of the next steps to take for removal.

Aliens who are able to provide for their own removal would have the flexibility to make their own travel arrangements within a 90-day time period. ICE will work with eligible aliens who are not able to provide for their travel; however, ICE will maintain control and schedule the travel arrangements in these specific cases.

ICE will allow eligible participants to arrange for their families to depart together. U.S. citizens or aliens with a legal immigration status cannot be removed by ICE from the United States; however the relatives of the non-criminal fugitive alien being removed are welcome to make their own travel arrangements to depart at or around the same time, if they choose to join their relative. These are personal decisions made by each individual family.

The agency recognizes there are those less inclined to accept the intentions of such a compassionately conceived enforcement initiative, but remains committed to providing sensible alternatives that balance the welfare of the individuals and families in question with its clear obligation to uphold the law.

The Scheduled Departure Program will not alter a participant's immigration status or provide any immigration benefit. The program is not a form of voluntary departure or voluntary return. Participants will continue to have a final order of removal, deportation or exclusion.

Aliens who have not previously been encountered by immigration officials or who have criminal records, or are determined to be a danger to the community are not eligible for this program and may be arrested and taken into custody if they report to ICE.

Next week, a series of print and radio ads in several languages will highlight the program in the pilot locations. Additional information will be also available on www.ice.gov and via a hotline staffed by ICE personnel. Aliens are also encouraged to speak with their consular officials, community groups, or attorneys if they have other questions.

ICE

U.S. Immigration and Customs Enforcement (ICE) was established in 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of five integrated divisions that form a 21st century law enforcement agency with broad responsibility for a number of key homeland security priorities.