



News Release

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### **ICE issues new procedures for asylum seekers as part of ongoing detention reform initiatives**

WASHINGTON—U.S. Immigration and Customs Enforcement (ICE) Assistant Secretary John Morton today announced that ICE will generally release from detention arriving asylum seekers who have a credible fear of persecution or torture if certain criteria are met—part of ICE’s ongoing immigration detention reform efforts.

“ICE is committed to detention reform that ensures criminal and violent aliens remain in custody while establishing effective alternatives for non-violent, non-criminal detainees commensurate with the risk they present,” said Assistant Secretary Morton. “These new parole procedures for asylum seekers will help ICE focus both on protecting against major threats to public safety and implementing common-sense detention policies.”

The revised guidelines announced today, effective Jan. 4, 2010, will permit parole from detention—which temporarily authorizes aliens to enter the United States without being formally admitted or granted immigration status—of aliens arriving at U.S. ports of entry who establish their identities, pose neither a flight risk nor a danger to the community, have a credible fear of persecution or torture, and have no additional factors that weigh against their release. The new guidelines also mandate that all such arriving aliens should automatically be considered for parole—a significant change from prior guidance that required aliens to request parole in writing.

In addition, the new policy adds heightened quality assurance safeguards, including monthly reporting by ICE field offices and headquarters analysis of parole rates and decision-making, as well as a review of compliance rates for paroled aliens.

U.S. immigration laws generally require aliens who arrive in the United States without valid entry documents to be immediately removed without further hearing; however, arriving aliens can pursue protection in the United States if they are first found by a U.S. Citizenship and Immigration Services (USCIS) asylum officer or an immigration judge to have a credible fear of persecution or torture in their home country.

When the policy becomes effective, USCIS asylum officers will explain the new process to arriving aliens who have been determined to have a credible fear of persecution or torture, including providing information regarding appropriate documentation the aliens may provide to help establish their eligibility for release.

On Aug. 6 and Oct. 6, Secretary Napolitano and Assistant Secretary Morton outlined the Department's overall approach to its ongoing immigration detention reform effort.

For more information, visit [www.dhs.gov](http://www.dhs.gov) or [www.ice.gov](http://www.ice.gov).

### ICE ###

*U.S. Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security. ICE comprises four integrated divisions that form a 21<sup>st</sup> century law enforcement agency with broad responsibilities for a number of key homeland security priorities. For more information, visit: [www.ICE.gov](http://www.ICE.gov). To report suspicious activity, call 1-866-347-2423.*