

DETENTION OF ILLEGAL IMMIGRANTS

The authority of detaining and deporting illegal alien belongs to US Immigration and Custom Enforcement (ICE) agency under the Department of Homeland Security. It is a separate agency from USCIS.

For illegal immigrant who is detained, relative should obtain 9-digits Alien Number immediately from detainee. If detainee had order of removal or deportation by the Immigration Judge but failed to leave the country, detainee is subject to mandatory detention. If detainee was convicted a severe crime, he is also subject to mandatory detention even if he had no past order of removal or deportation. For such detainee, Immigration Court will not allow bond hearing. However, if ICE fails to obtain travel documents for detainee within 90 days to deport him, ICE may consider releasing detainee with bond and putting him under order of supervision. Except above detainees, most of detainee can request bond hearing with Immigration Court. If detainee has legal relatives in the United States and posts no danger to community, Immigration Judge may give bond and release illegal immigrant while he is going to the court and waiting for the final result of his application for relief.