

NATIONAL BAIL FUND NETWORK



JUST
FUTURES
LAW

May 1, 2020

The Honorable Chad F. Wolf
Acting Secretary
U.S. Department of Homeland Security 301 7th Street, SW
Washington, DC 20528

Dear Acting Secretary Wolf:

Our organizations write with extreme urgency to urge you to immediately act in setting up an expanded “eBond” process to ensure that families, neighbors, and community organizations can post bond for loved ones in immigration detention. We are a network of community-based organizations that includes thirty-two community bond funds that regularly coordinate bond posting and post-release support for thousands of families each year with loved ones detained by DHS. We are joined by the organizations listed below in this request.

Establishing this process is not burdensome on DHS since the agency needs to only amend its current eBond procedure. This change will allow families and the agency to adhere to social distancing guidelines promulgated by the Center for Disease Control and post bond for individuals granted bond by immigration agents or the Executive Office for Immigration Review.

Currently, ICE offers only one method for families and community organizations to pay bond for detained individuals: the bond must be paid for “in-person” via cashier’s checks at Enforcement and Removal Office (ERO) offices with “bond windows.”¹ These offices are few and far between, sometimes requiring dozens or hundreds of miles in travel to post bond.² ICE’s own COVID-19 precautions have resulted in the closure of additional ERO offices forcing family members, neighbors, and community organizations to travel, sometimes across state lines, to find offices that are open to accept bond payment.

Our organizations have accumulated multiple examples of our volunteers and family members attempting to post bond at approved facilities that have been turned away because of closures, requiring them to travel hundreds of miles to post bond or not be able to post bond for their family member at all. This has included families who have had to travel from New York City to Connecticut and Pennsylvania in search of an open bond window; families in Indiana and

¹ See “ICE Guidance on COVID-19”, <https://www.ice.gov/coronavirus>.

² See <https://www.ice.gov/ice-ero-bond-acceptance-facilities>.

Florida who could find no open bond window they could get to; and families in Arizona and California who had to travel multiple hours to find open bond windows, to name just a few.

There are many reasons why ICE should expand its eBond payment system immediately:

1. DHS *already* has an online bond payment option established that could allow families and community organizations to practice social distancing and post bond.³ Our organizations request that the eBond system operated by DHS and is available only to commercial surety companies be opened up so that individual non-surety users be afforded the same access. This is a common-sense change that should require very little adaptation since the system already exists. Some state and city officials have called for expanding access to the online portal to lessen in-person transactions.⁴
2. The current requirements make it impossible to follow CDC social distancing guidance or, in some cases, follow local, state “stay at home” orders. Ultimately, people who post bond must travel to pay bond. This means they may have to take public transportation or flights or travel long distances, increasing the likelihood of close human interactions. Under current conditions, it seems increasingly absurd that a person cannot be released because the payor cannot or is unable to travel to the ERO office to pay “in-person” bonds - when they already have funds to pay.
3. The rapid proliferation of COVID-19 cases in immigration detention make an expanded eBond system more urgent because of the increasing danger to detained individuals and workers at detention facilities.⁵ Overcrowding and lack of access to disinfectants and sanitizer products, masks or gloves make detention centers particularly vulnerable to the virus. Hundreds of detained individuals have already contracted COVID-19.⁶ The agency cannot allow people to languish in detention, especially when the person has been granted bond.

Without action, your employees as well as families and community members will continue to be put in danger as they have to bypass CDC guidance and local public health rules

³ See Privacy Impact Assessment for ICE e-bonds Online System, 2013.

<https://www.dhs.gov/publication/dhsicepia-008-ebonds-online-system>

⁴ Katz, Matt, “ICE’s “Mind Blowing” Barriers to Posting Bond Keep Immigrants Locked Inside Coronavirus Hot Spots,” Gothamist, (April 24, 2020), <https://gothamist.com/news/ices-mind-blowing-barriers-to-posting-bond-keep-immigrants-locked-inside-coronavirus-hot-spots>.

⁵ Newsweek reported over 100 workers at ICE detention facilities or people who work in them have contracted this virus. Da Silva, Chantal. “Federal Judge Orders California ICE Detention Center to Release Detainees as Coronavirus Cases Climb,” Newseek (April 24, 2020), <https://www.newsweek.com/federal-judge-orders-california-ice-detention-center-release-detainees-coronavirus-cases-climb-1500095>).

⁶ Id.

in order to post bond. Individuals who have been granted bond should also have access to having their loved ones and community post their bond.

We look forward to your attention to this matter and to protecting public health.

Sincerely,

National Bail Fund Network
Just Futures Law

3R Fund for Immigrant Family Legal Defense Cincinnati/Northern Kentucky, Inc.
A Little Piece of Light
A. L. Costa Community Development Center
Advancement Project
Advocate
African Communities Together
AFSC Colorado
Al Otro Lado
Alabama Justice Initiative
Alliance to Mobilize Our Resistance (AMOR)
American Muslim Empowerment Network
Ardella's House
Arriba Las Vegas Worker Center
Asian American Resource Workshop
Asian Counseling and Referral Service
Asylum Seekers Sponsorship Project
Baker Interfaith Friends
Bay Area Asylum Support Coalition (BAASC)
Beauty After the Bars
Black Alliance for Just Immigration
Boston Immigration Justice Accompaniment Network Beyond Bond Fund
Brockton Workers Alliance
Brooklyn Community Bail Fund
Brooklyn Defender Services
Bull City Participatory Defense Durham Hub
CALMA : Collective Action For Laborers, Migrants & Asylum Seekers
Capital Good Fund
Catholic Charities of Southern New Mexico
Catholic Migration Services
Center for Appellate Litigation
Central American Legal Assistance
Central Washington Justice For Our Neighbors
CHANGE COMES NOW
Charlottesville Immigrant Resource and Advocacy Coalition

Charm City Care Connection
Chicago Community Bond Fund
CIELO
Cleveland Jobs with Justice
Coalition for Women Prisoners NYS
Colorado People's Alliance
Columbia Legal Services
Community Asylum Seekers Project (CASP)
Community Defense of East Tennessee
Community Resource Center
Congregational Accompaniment Project for Asylum Seekers (CAPAS)
Connecticut Bail Fund
Connecticut Immigrant Rights Alliance
Connecticut Shoreline Indivisible
Connecticut Women's Education and Legal Fund (CWEALF)
CT Students for a DREAM
Cville Immigrant Freedom Fund
Des Moines IA Showing Up for Racial Justice (SURJ)
Desert Support for Asylum Seekers
Detention Watch Network
DIRE
Disciples Home Missions
Disciples Refugee & Immigration Ministries
Drug Policy Alliance
Eastern Iowa Community Bond Project
El Centro de la Raza
Entre Hermanos
Equal Justice Under Law
Equity And Transformation
Esperanza Attorneys At Law
Essex County Community Organization
Fair Fight Bond Fund
Faith in Texas
Families for Freedom
Family Action Network Movement (FANM)
First Friends of NJ & NY
First Parish Bedford
Fondo Comunitario Para Fianzas y Apoyo Legal
Formerly Incarcerated & Incarcerated Resistance Movement
Fort Collins Community Action Network
Free Hearts
Freedom for Immigrants
Friends of Broward Detainees
Friends of Miami-Dade Detainees

Fronterizx Fianza Fund
Georgia Latino Alliance for Human Rights
Grassroots Leadership
Guadalupe Presbyterian Church
Haiti Action Committee
Haiti Solidarity Network NE
HAITIAN BRIDGE ALLIANCE
Haitian Immigrant Bail Assistance Project (HIBAP)
Hartford Deportation Defense
Harvard Central American Alumni Association
House of Dreams ReEntry Consulting, LC
Houston Migrant Outreach Coalition
HSNNE
Illinois Coalition for Immigrant and Refugee Rights
Immigrant and Non-Citizen Rights Clinic, CUNY School of Law
Immigrant Defense Project
Immigrant Family Defense Fund
Immigrant Freedom Fund of Colorado
Immigrant Legal Defense
Immigrant Legal Resource Center
Immigrant Service Providers Group/Health
Immigrants Opening Doors
Immigration Justice Clinic, John Jay Legal Services, Inc.
Indivisible NJ 5
Ingersoll Gender Center
Interfaith Coalition for Immigration, MN
Interfaith Welcome Coalition
Iowans for Immigrant Freedom
ISAAC - Interfaith Solidarity and Accompaniment Coalition
Jewish Action NorCal
Jewish Coalition for Immigrant Justice NW
Jewish Family and Community Services East Bay
JMacForFamilies
Juntos
Justice for Migrant Families
JustLeadershipUSA
Kern Welcoming and Extending Solidarity to Immigrants (KWESI)
Latino Community Fund of Washington State
Legal Aid Justice Center
Legal Counsel for Youth and Children
LGBTQ Freedom Fund
Life After Release
LIFT
Long Beach Immigrant Rights Coalition

Louisiana Advocates for Immigrants in Detention
Make the Road New York
Mariposa Legal, program of COMMON Foundation
Maryland Justice Project
Massachusetts Immigrant & Refugee Advocacy Coalition
MediaJustice
Meriden Congregational Church, UCC
Migrant Center for Human Rights
Migrant Justice
Mijente
Mississippi Center for Justice
MN Freedom Fund
Mommieactivist and Sons
Movement Alliance Project
National Immigrant Justice Center
National Lawyers Guild- MA Chapter
Never Again Action NH
New Beginnings Reentry Services, Inc
New Florida Majority
New Jersey Alliance for Immigrant Justice
New Mexico Immigrant Law Center
New Sanctuary Coalition
New York Justice for Our Neighbors, Inc.
New York Legal Assistance Group (NYLAG)
NH Alliance for Immigrants and Refugees
NH United Church of Christ Economic Justice Mission Group
NHCUCC Immigrant and Refugee Support Group
NJ State Industrial Union Council
NorCal Resist
North Carolina Community Bail Fund Of Durham
Northwest Community Bail Fund
NYCD16 Indivisible
OneAmerica
Operation Restoration
Orange County Equality Coalition
Orange County Justice Fund
Organizing For Action - Contra Costa
Passionvine Farm
Pax Christi New Jersey
People's Paper Co-op
Peterborough Lights for Liberty
Philly Neighborhood Networks
Pretrial Justice Institute
Prison Policy Initiative

Prisoners' Legal Services of New York
Public Justice Center
Quad City Sanctuary Coalition
Queer Detainee Empowerment Project
Race Matters, Friends Community Bail Fund
Rad El Dub Community Land Trust
RAICES
ReEntry Matters, Everybody Has A Story
Refugee Support Network
Release Aging People in Prison
Rian Immigrant Center
Richmond Community Bail Fund
Robert F. Kennedy Human Rights
Rockland Immigration Coalition
S.T.O.P. - the Surveillance Technology Oversight Project
Sacramento Poor People' Campaign (Sac PPC)
San Diego Immigrant Rights Consortium
SAVE
Seattle Immigrant Rights Action Group
Seattle Indivisible
Silent Cry Inc
Silicon Valley De-Bug
SIREN
Social Action Committee, Ethical Culture Society of Essex County, NJ
Sojourners-The Riverside Church
SOLACE Visitation Program
Somos Seattle
SONG Durham chapter
Sound Alliance - King and Pierce Counties, Washington State
South Philly Participatory Defense Hub
St. Louis Inter-Faith Committee on Latin America (IFCLA)
Still Waters Anti-trafficking Program
Success Stories Program
SURJ Sacramento
TakeRoot Justice
The Advocates for Human Rights
The Bail Project
The Bronx Defenders
The Bronx Freedom Fund
The Door Legal Services
The Legal Aid Society (New York)
The National Council for Incarcerated and Formerly Incarcerated Women and Girls
The Neighbor Fund
The Rapid Response Legal Collaborative

The Tadini House
The Talking Drum Incorporated
Tucson Second Chance Community Bail Fund
Tucson Showing Up for Racial Justice
Union Church
Unitarian Universalist Mass Action
Unitarian Universalist Service Committee
United Congregations of Metro-East
United We Dream
Uniting for a Safe Inclusive Community - Manchester
University Unitarian Church
UnLocal, Inc.
Vermont Freedom Bail Fund
Wallingford Indivisible
What's Next Washington
Women Against Mass Incarceration
Women on the Rise
Women on the Rise GA
Women Who Never Give Up, Inc
Workers Defense Project
Worth Rises