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### ICE responds to recent media coverage regarding family residential centers

WASHINGTON – On April 24, U.S. Immigration and Customs Enforcement (ICE) was directed by the U.S. District Court for the Central District of California to make every effort to promptly and safely release juvenile aliens who have suitable custodians and who are not a flight risk or a danger to themselves or others. The court recognized that parents, not the government, should decide whether the juvenile should be released to a sponsor. To comply with this order, ICE was required to check with each of the juveniles – and their parents – in custody at family residential centers (FRCs) to make individual parole determinations with respect to those juveniles. To comply with the court-ordered deadline of May 15, ICE again interviewed nearly 300 individuals at the FRCs using a form developed almost three years ago to comply with another order from the same court. This form, which has been recently circulating in media outlets, was submitted to the court December 1, 2017, and has since been available as part of the court's public record.

This process is not new, and ICE has continually complied with the court's order to conduct parole reviews of minors. Despite misrepresentations, this form is nothing more than an internal worksheet used to document answers to questions regarding parole. In compliance with the judge's order last week, some officers asked the individuals to initial or sign at the bottom of each page to verify that these were in fact their responses. It is not a legally binding document and does not convey any legal implications on the family unit.

ICE continues to explore all options to ensure it acts in compliance with the court's order which applies only to juvenile aliens, and not to their parents. Parole can be denied based on flight risk or danger to self or others. Further, the court recognized that ICE need not release juvenile aliens whose parents waive their court-ordered option to be released to a sponsor. This court-ordered option has been incorrectly reported as a change in policy. This is simply false. ICE has merely been conducting routine parole review consistent with the law, existing practice, and the court's order.

ICE does not maintain custody of unaccompanied minors but does house family units (minors and their parent or legal guardian) at one of three FRCs. ICE's custodial determinations are conducted pursuant to its statutory and regulatory authorities, and in compliance with U.S. Department of Homeland Security and ICE policies and binding decisions from federal courts, including the U.S. District Court for the Central District of California's most recent decision in *Flores v. Barr*, No. 85-4544 (C.D. Cal. Apr. 24, 2020). Family units who come into ICE custody at an FRC and who pass an initial credible fear interview are generally released from custody in fewer than 20 days.

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Consistent with President Trump's executive order dated June 20, 2018, it is the policy of the administration to maintain family unity, including by detaining alien families together where appropriate and consistent with the law and available resources. ICE adheres to the laws enacted by Congress and to decisions issued by federal courts with respect to the care and custody of minor children and family units.

As of May 19, 348 individuals are housed at FRCs.

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