

Report Summary

Background

From January 2016 through June 2017, the US government implemented a new program to respond to families seeking asylum at the US border. As an alternative to family detention or release with electronic monitoring, some families were enrolled into the Family Case Management program (FCMP). Although planned as a five-year program in five cities across the United States, Immigration and Customs Enforcement (ICE) terminated the program in June 2017, only 1.5 years into its implementation, for what WRC's report confirms were political reasons. At the same time, the Trump administration increased a devastating practice of family separation that it would subsequently seek to end with an increase in harmful family detention.

Following termination of the program, WRC conducted an analysis of FCMP, based largely on the final written evaluations of FCMP by ICE and GEO Care (FCMP's primary implementing contractor), as well as interviews with a former ICE official and representatives of some of the organizations that subcontracted with GEO Care to implement FCMP.

FCMP was intended to demonstrate to government officials, Congress, and the public how a program focused on case management support to immigrants in proceedings could best function. The program achieved a 99% compliance rate with ICE and immigration court requirements at a fraction of the cost of detention and supported hundreds of families in finding stability in their communities, supporting them with their immigration requirements, and beginning to prepare them for the outcomes of their case. However, WRC believes FCMP's implementation also included missteps, notably through its partnership with GEO Care, part of the for-profit private prison company GEO Group.

As the report shows, WRC notes that with critical improvements and expansion, a program like the Family Case Management Program could serve many thousands more, save millions of dollars, and increase efficiency in an immigration system that desperately needs it.

Key findings

FCMP's cornerstone principle, as borne out by international research and prior, non-government funded programs, was that **individualized and specialized case management services lead to an understanding of the immigration process and high compliance rates with the government's immigration requirements**. Services provided included assistance in accessing medical services, social services, education enrollment for children, legal orientation, and more. ICE's and GEO Care's final evaluations of FCMP clearly deemed the program to be successful in supporting stabilization in the community and compliance with immigration requirements, including removal.

Enrollment and Compliance

A total of 952 families were enrolled in FCMP in Baltimore/Washington, Chicago, Los Angeles, Miami, and New York.

- 99.3% complied with immigration court hearings.
- 99.4% complied with ICE check-in appointments.
- 15 families were removed – either voluntarily accepting return or complying with an order of removal – and received support with their repatriation.
- The vast majority of families had not completed their immigration case when ICE ended the program.

Cost

ICE estimated the cost of FCMP to be approximately \$38 per day per family. By contrast, the cost of detaining a family of approximately 2.5 members would be nearly \$800 per day.¹

¹ The Fiscal Year 2020 Congressional Justification indicates the FY 18 actual cost of one family detention space was \$319.37.

Scalability

With appropriate investment, there are numerous legal and social service providers who, if funded to do so and if a program is well-designed, could expand to help provide the kind of stabilization services and compliance support that FCMP demonstrated. Just as ICE has dramatically grown its electronic monitoring programs and—against the wishes of Congress—grown its immigration detention capacity, it could easily grow case management alternatives while reducing costly and harmful detention capacity accordingly. **WRC’s report makes clear that the only serious constraint on the scalability of case management alternatives is *political will*.**

Lessons Learned

WRC’s evaluation of FCMP indicates critical areas for improvement that must be addressed and mitigated in any future program. They include:

- A lack of crucial expertise and lack of collaboration by GEO Care with community organizations in order to benefit from their expertise in immigration and ties to local immigrant and refugee communities.
- Unnecessary enrollment of families who were already released into the community and did not require extra support.
- Overly onerous hiring processes that often delayed hiring by several months.
- A requirement that participants surrender their travel documents, risking the loss of their only form of identification and obstructing access to local and state services like school enrollment.
- Support to obtain housing was not provided, although many cities lack stable housing options.

Top Recommendations

US Congress

- Congress must prioritize and substantially increase investment in case management alternatives to detention that are well-designed and contracted to not-for-profit community-based organizations with demonstrable experience in serving refugee and immigrant populations.
- Congress must exercise strict oversight over ICE’s implementation of any case management alternatives to ensure consistency with best practices.
- Congress must hold ICE to account and insist that ICE reduce detention.

For future case management alternatives to detention

- ICE should only partner with and contract to experienced, not-for-profit service providers with demonstrable and proven experience in working with immigrant and refugee populations.
- ICE should expand appropriate case management alternatives beyond families and those presenting certain key vulnerabilities.
- Dedicated and trained staff should be in place in all border locations and field offices to efficiently and appropriately identify participants who would benefit from enrollment in its case management alternatives.
- ICE should have clear and transparent criteria to determine if an individual can be scaled down from or should be scaled up to more intensive case management services.
- ICE should improve its tracking of case management services by consistently and transparently measuring success with stabilization and compliance throughout an individual’s immigration case, and ensure that any contracted organizations and qualified independent partners have access to and can evaluate case management data.

The full report is available at https://wrc.ms/FCMP_report.

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Women’s Refugee Commission

The Women’s Refugee Commission improves the lives and protects the rights of women, children, and youth who have been displaced by conflict and crisis. We research their needs, identify solutions, and advocate for programs and policies to strengthen their resilience and drive change in humanitarian practice.

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