

Frequently Asked Questions (FAQs) About Immigration Detention

PIRC and the Community Defense Project.....	1
About these FAQs.....	1
Who’s Who?	2
What is happening to my friend or loved one?	3
Where has my friend or loved one been taken? How can I find them?.....	5
What do I need to know about “A-numbers”?.....	5
Can my friend or loved one get out on bond?.....	6
How can I communicate with my friend or loved one in detention?	8
Other.....	11

PIRC and the Community Defense Project

The **Pennsylvania Immigration Resource Center (PIRC)** is a nonprofit organization based in York, PA that works to provide equal access to justice for vulnerable immigrants in detention and in the community through legal services, education, and advocacy.

PIRC educates immigrants in detention and in the community about their legal options to obtain or protect their immigration status and provides access to justice through legal services – direct representation, coordination of pro bono legal help, and pro se assistance.

Community Defense Project

In 2017, PIRC launched the Community Defense Project in response to the January 2017 Executive Orders issued by the Administration. Through this project, PIRC offers resources and education for immigrants in the community at risk of detention or deportation through free legal clinics and helps connect community members with general legal information and their loved ones in detention.

If your friend or loved one is detained at York County Prison and you need help communicating with them or believe they may need special assistance due to unique circumstances such as a medical condition, please contact PIRC.

www.pirclaw.org
 717-600-8099
info@pirclaw.org

About these FAQs

The purpose of this document is to provide general information and education to the friends and family members of people in immigration detention at York County Prison. Where possible, information has been included for other immigration detention facilities in Pennsylvania. No information shared in these FAQs

constitutes an endorsement or guarantee, but rather general information that PIRC understands to be accurate at the time of publication. PIRC does not control and is not responsible for linked information. The links and information contained below are reviewed and updated as frequently as practicable but may not be current. If you encounter anything inaccurate in this document, or have questions not answered by these FAQs, please [contact PIRC](#).

PIRC understands that every person's situation is different, and that the facts of each individual situation matter greatly. As such, none of the information contained in this document should be construed as, or substituted for, legal advice. If you need legal advice, or information specific to your circumstances, please consult a lawyer experienced in immigration law. PIRC maintains the contact information for a variety of legal and social service providers throughout the state but does not endorse any specific provider. Please contact PIRC if you are seeking a referral to a service provider.

Please note that these FAQs provide some information on interacting with law enforcement agencies (including immigration authorities). Any interaction with law enforcement could potentially have serious consequences. If you have any questions or concerns about interacting with law enforcement, seek the advice of a lawyer before doing so.

Who's Who?

- There are two major federal agencies involved in immigration detention, and sometimes they work with state or local agencies, as well. It is important to understand who does what so that you can contact the right person and get what you need.
 - Department of Justice (DOJ): The President of the United States appoints an Attorney General, and that Attorney General oversees [many offices](#), including the [Executive Office for Immigration Review](#) (EOIR). EOIR is responsible for the Immigration Court, appeals, and other kinds of hearings. In Immigration Court, the judge works for the Department of Justice.
 - Department of Homeland Security (DHS): Like with the Attorney General, the President of the United States appoints a Secretary of Homeland Security, and the Secretary oversees [many offices](#). Two of those offices are especially important when it comes to understanding immigration detention:
 1. U.S. Customs & Border Protection (CBP): CBP's job is to manage, secure, and control the country's borders. When someone is detained at or near the border, they have usually been detained by CBP. This agency is like U.S. Immigration & Customs Enforcement but operates at the nation's borders (and as far as 100 miles inland).
 2. U.S. Immigration & Customs Enforcement (ICE): ICE is a [complicated](#) agency with a lot of power when it comes to immigrants in detention. For example, in many cases:
 - ICE agents question and arrest people, then decide who to detain and who to release.
 - ICE is responsible for managing the detention of immigrants in detention facilities and transferring people between facilities.
 - ICE agents respond to requests from people in immigration detention.
 - ICE agents charge someone with being deportable and send a request to the DOJ to schedule a court date.
 - In Immigration Court the "Assistant Chief Counsel" or "Trial Attorney," who is like a prosecutor, works for ICE.

- ICE offices accept bond payments for immigrants released during their court cases.
 - Although ICE is very powerful, it is important to know that [everyone has rights](#) when interacting with them. For more information, please see [here](#) and [here](#).
- In the case of York County Prison, the facility is owned and operated by York County. The officers that staff the prison work for York County, Pennsylvania. DHS has a contract with York County Prison to hold some of the people that they have taken into custody. If your friend or loved one is in immigration detention at York County Prison, it is technically DHS that is holding them, and they have hired York County Prison to help them.
- In these FAQs, “immigration authorities” may refer to DHS, DOJ, or both.

What is happening to my friend or loved one?

Who is detaining them?

- Sometimes it can be hard to tell. Your friend or loved one may be in criminal or immigration detention. (Some detention facilities, including York County Prison, have both immigration and criminal detention.) Someone can end up in immigration detention after an arrest by local or state police, by ICE (after a raid, for example), or they may be transferred to immigration detention at the end of a criminal sentence.
- Although your friend or loved one is detained, that does not necessarily mean that they have committed a crime or are even being accused of a crime.
- If your friend or loved one is in immigration detention, immigration authorities are alleging that they should be removed/deported from the United States.

My friend or loved one is in immigration detention. What now?

- Each case is different. Many people will automatically be given a hearing with an Immigration Judge. This means they will have the opportunity to fight against their removal/deportation from the United States.
- Some people will not automatically see an Immigration Judge (but may still have [options](#) to challenge their removal). Those people are likely to be in one of the following [three processes](#):
 1. Expedited Removal: process for certain people encountered at a port of entry or at or near the border.
 2. Reinstatement of Removal: process for certain people who return to the United States without permission, after previously being ordered removed.
 3. Administrative Removal: process for certain people convicted of an “[aggravated felony](#)” as well as people who entered the United States through the [Visa Waiver Program](#).

What is the process in front of an Immigration Judge?

- The process varies depending on a person’s legal case. In most cases where the detained person will see a judge automatically, hearings will occur in the following order:
 1. Master Calendar Hearing (MCH)
 - Usually scheduled within a few weeks of being detained by immigration authorities.

- The detained person will have the opportunity to ask for more time if they are still looking for an attorney (if so, the judge will generally give 2-4 weeks' time).
 - The purpose is for the judge to review the basic facts of the case and to determine whether the person wants to fight against deportation.
 - At the MCH, the judge will schedule the next hearing. If the person has been given more time to find an attorney, the next hearing will also be an MCH.
 - If the person does not want to fight their case (if they agree to be deported, or are only asking for voluntary departure, for example) this could be their only hearing.
2. Bond Hearing
- Not everyone will be scheduled for a bond hearing, see [below](#).
 - Bond hearings may be held at the same time as the MCH. They may appear to be one single hearing in which the basic facts of the case and bond are discussed together.
3. Individual Hearing
- May also be called a “merits hearing.”
 - Only scheduled when someone wants to fight their case.
 - Usually within 8-10 weeks after the MCH.
 - The purpose is for the judge to review all the evidence in the case and decide whether your friend or loved one is eligible to stay in the United States.

How do I know if they have a hearing?

- Once you have the A-number, call 800-898-7180 to access an automated system with information about upcoming hearings as well as information about decisions made by the Immigration Judge.

Can I go to the hearing?

- Most hearings are [open to the public](#).
- The [York Immigration Court](#) is located at the York County Prison.
- Please seek legal advice if you are unsure whether attending a hearing at the Immigration Court is advisable in your situation.

What if my friend or loved one is afraid to return to their country of origin?

- People in certain situations may qualify for one of [several protections](#) under United States law.
- If your friend or loved one has a hearing with an Immigration Judge, they can tell the judge that they are afraid to return.
- If your friend or loved one does not have a hearing, they can express their fear to ICE and ask for an interview with an asylum officer. At York County Prison, detained persons can submit an I.C.E Detainee “Request Form” (also known as a “blue sheet”) to ICE to inform them of the fear and request an interview. These forms are available in the housing units or from a prison officer.

Where has my friend or loved one been taken? How can I find them?

Immigration and Customs Enforcement (ICE) Online Detainee Locator

- To search for someone in immigration detention, you can use the [ICE Detainee Locator](#). [Detailed instructions](#) are available in multiple languages.
- There are several reasons that you may not see results in the Detainee Locator. For example, if the person you are trying to locate:
 - Is under 18 years old.
 - Is in a facility that ICE has not been using for very long.
 - Is in criminal custody.
 - Has been entered into the detainee locator database incorrectly.
 - For example, names are often misspelled. You may want to try searching for common misspellings; “Xavier Perez Garcia” may be in the system as “Javier Peres-Garcia” “Javier Perez” or “Javier Garcia-Perez.”
 - Left the custody of immigration authorities more than 60 days ago.
 - Was just recently arrested. It may be too soon for the Detainee Locator to have been updated. Try again periodically (e.g., the next morning).

Call ICE or local detention facilities

- See [table](#) below for contact information.

Online facility rosters

- Some facilities publish their rosters, a list of people they are detaining, on the internet, but they generally do not include the names of people in the facility who are in the custody of ICE. This means that even if your friend or family member is detained by ICE at the York County Prison, for example, their name will not appear on the York County Prison online roster.

What do I need to know about “A-numbers”?

What is an “Alien Number” or “A-Number”?

- A person’s A-number is their identification number for US immigration authorities. It is assigned by DHS and consists of the letter “A” followed by eight or nine digits. The A-Number may be found on most official DHS documents.

Why do I need to know my friend or loved one’s A-number?

- Most commonly, an A-number can be used to try locating a friend or loved one in detention, or to get information about their hearing with the Immigration Court.
- If your loved one is in a detention facility (i.e., a jail, prison, detention center, etc.), they will most likely be assigned a different number (an “inmate ID”) by that facility, as well. At York County Prison this is often referred to as a “pouch number.” The inmate ID is used for things that relate to a specific detention facility. A person’s A-number does not change, but if your friend or loved one is transferred from one facility to another, each new facility will assign them a different inmate ID.

What if I don't know my friend or loved one's A-number?

- No one has an A-number until they are assigned one by immigration authorities. If this is your friend or loved one's first contact with immigration authorities, they may have just been assigned an A-number for the first time. Try to remember to ask your friend or loved one for their A-number when you speak to them, as it may be useful in the future.
- If your friend or loved one ever had legal immigration status in the United States, any official documents from DHS likely included their A-number.

Can my friend or loved one get out on bond?

What is bond?

- A bond is a deposit of money as a guarantee that the person being released from detention will do what the judge is asking.
- When a judge permits someone to leave a detention facility, that person must promise to do certain things like go to all their future hearings with the Immigration Court. In addition to making those promises, the judge usually requires money to be deposited with immigration authorities. Depositing money shows that the person intends to keep their promises because, if they break their promises, they will not get the money back—that is a bond.
- Bond [vocabulary](#):
 - Breach: when the conditions of a bond are not met, the bond is “breached.” Some or all the money paid may be lost.
 - Cancellation: when the conditions of a bond are met, the bond is “cancelled.”
 - Conditions: the things a person must do to stay out of detention after the judge grants bond. Regular conditions are things like showing up for future court dates, staying out of even minor legal trouble, and updating a person's address with immigration authorities if they move. A judge can add other conditions.
 - Obligor: the person paying the bond. Sometimes called the “surety.”
 - Principal: the detained person being released on bond. Sometimes called the “bonded alien.”

Who gets a bond hearing?

- Anyone detained by immigration that is eligible to be released on bond can have a bond hearing. Being eligible for bond means that your friend or loved one has the right to ask for a bond hearing with an Immigration Judge. Many people in detention are eligible for a hearing, but not all.
- Some people not eligible for bond are those who are in a different legal process such as Expedited Removal, Reinstatement of Removal, or Administrative Removal (see [above](#)).
- Being eligible for bond does not mean that it will be granted, even if your friend or loved one can show evidence that it should be granted. The judge can use their discretion.

If my friend or loved one is eligible for bond, what is the process?

- Your friend or loved one may request a bond hearing at their first Master Calendar Hearing (MCH).
 - The bond hearing is like a mini-case that is related to, but separate from, the case about whether a judge will allow your friend or loved one to stay in the US.

- This hearing may occur on the same day as the MCH, or it may be later (especially if a request is made to have the bond hearing later).
- The detained person or their attorney will be allowed to present evidence.
- What will the judge want to talk about?
 - Whether the detained person may pose a danger to the community.
 - Whether the detained person is likely to appear for future hearings.

If bond is denied, what happens?

- Generally, the person will remain detained throughout their case. There are some rare ways in which a person might still be released. Some of those ways are:
 - Winning an appeal to the [Board of Immigration Appeals](#). Detailed information on the [appeals procedure](#) is available.
 - Having a separate, successful bond hearing in the future. Generally, to have a separate hearing in the future, the detained person [must convince the judge](#) that there has been a significant change in their circumstances since the last hearing.

If bond is approved, what happens?

- General information:
 - The judge will set the amount of the bond. The minimum amount is \$1500. There is no maximum. Bonds set by the York Immigration Court are commonly between \$5,000 and \$15,000.
 - The bond must be paid in full before the detained person is released. They will [generally be released](#) the same day if the bond is paid early in the day.
 - Unless the judge orders otherwise:
 - Bond does not have to be paid within any specific amount of time after the bond hearing (for example, 60 days).
 - No specific person is required to pay the bond.
 - Usually, anyone who can provide all the following to ICE can pay the bond:
 1. Two forms of ID, at least one with a picture
 2. Evidence of current address
 3. A phone number where they can be reached
 4. A valid social security number or taxpayer identification number
 5. The name, A-number, date of birth, and country of origin of the detained person
 6. The address and phone number where the detained person will be staying during their case (When the detained person is released, they do not have to live with the person who paid the bond.)
- Where is the bond paid?
 - At an [ICE office that accepts bond payments](#).
 - The ICE office at the York County Prison accepts only certified bank checks or money orders from the Post Office or Western Union. To minimize errors that may cause your payment to be rejected, the bank check/money order should have the amount filled out and nothing else, if possible.
 - Through a [licensed bondsperson](#) anywhere in the country that provides “immigration bonds.” Please use caution in choosing a bond company.
- When is the bond money returned?

- It can take 4-6 months or longer after the case ends to get the money back.
- The full amount is only returned for bonds that are “cancelled.” That could be when the detained person has won some legal status in the case or has left the United States as ordered by immigration authorities. A “breach” may result in the loss of some or all the money paid.
- For bonds paid directly to ICE and not breached, “cancellation” is automatic. The person that paid the bond is sent a form notifying them of the cancellation, which begins the process of recovering the money.

Bond support letters

- If eligible for bond, your friend or loved one will likely want letters of support to present to the judge at their hearing. Helpful examples can be found [here](#) and [here](#).
- Letters of support should:
 - Be written in English (or have a translation into English).
 - State the detained person’s full name and A-number.
 - Include the writer’s name, address, and proof of immigration status (e.g., a copy of their permanent residence card).
 - Explain the writer’s:
 - Relationship to the detained person (including how long you have known each other).
 - Opinion about whether the detained person is a good and responsible person (with specific examples, if possible).
 - Belief that the detained person will comply with even a negative ruling from the Immigration Court.
 - Intent, if they have one, to help support the detained person with food and housing in the release.
 - Be mailed directly to the detained person or their attorney, not to the court or immigration authorities.

How can I communicate with my friend or loved one in detention?

All forms of communication

- It is very important to understand that all communication with detained persons is subject to monitoring and/or recording. Phone numbers, addresses, recordings of your voice and face, etc., may be stored and used by officials or contractors. Communicating with someone in detention could expose you to law enforcement action.
- Many forms of communication will require you to have the facility-issued identification number of your friend or loved one. This is different than the A-number. In all cases, you can call the facility to get your friend or loved one’s identification number. For York County Prison and some other facilities in Pennsylvania, you can also contact PIRC.

At York County Prison

- By telephone:
 - For domestic calls, your friend or loved one will have to call you. The call will only connect if you have [set up an account](#) with Global Tel Link in advance.

- For international calls, your friend or loved one must have money on their commissary account to buy a phone card. See “*How can I send money?*” below. It can sometimes take a week or more after receiving funds for your friend or loved one to receive their phone card and be able to make international calls.
- In person:
 - See the [table](#) below for hours and guidelines, including visitation times for children.
 - Your friend or loved one must add you to their visitor list ahead of time. It can take up to 24 hours for the list to be updated. They can add you to their list by filling out a “Visiting List” form. These forms are available in the housing units or from a prison officer.
 - Visits take place by telephone through plexiglass.
 - Security requirements are very strict.
 - Cell phones are not allowed in the facility.
 - Visitors are required to pass through a metal detector. If metal is detected, the visitor will have the opportunity to remove certain items (underwire or belt, for example) and try a second time, but they must keep their shoes on the whole time. If metal is detected the second time, the visitor will be turned away.
 - Recommendations for passing the metal detector include:
 - Wearing sweatpants, non-underwire bras, and athletic shoes with rubber soles. Many shoes have metal in the soles that is not visible.
 - Removing all jewelry, belts, etc., before entering the facility.
 - If necessary, (for example, if wearing an underwire bra with no alternative) trying to pass through the metal detector sideways so that less metal is present at a single time.
 - Staying in the center of the metal detector. Passing through too closely to one side may cause smaller amounts of metal to be detected.
- By video:
 - One benefit of a video visit is that you can schedule it in advance and your friend or loved one will be notified. This can be very helpful in cases where visiting in person may not be possible and your friend or loved one may not have your phone number.
 - [Video visits](#) cost \$15 for a visit of 0-30 minutes. You can set them up [here](#).
- By mail:
 - Mail sent to York County Prison without a return address will not be given to your friend or loved one. [Other guidelines](#) are available on the facility’s website.
 - Mail will be opened and looked at before it will be given to the addressee.
 - To send mail back to you, your friend or loved one will need money on their commissary account to buy writing materials.

- Mail should be addressed like this:

<p>Maria del Refugio Abarca 123 Any Street York, PA 17402</p>	<p>Vicente Fernandez, #123456 York County Prison 3400 Concord Road York, PA 17402</p>
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Why haven't I heard from my friend or loved one?

- They may not have your phone number. Cell phones and most personal effects are confiscated when someone is brought into the facility. Consider writing them a letter with your phone number included.
- Your friend or loved one may have your phone number but be concerned about the facility listening to your phone call or having your telephone number.
- Please contact PIRC if you need help getting in touch with a friend or loved one at York County Prison.

What is the contact information for local detention facilities?

- Please note that the use of specific [facilities](#) can change without notice. This is not an exhaustive list of facilities in Pennsylvania.

FACILITY	CONTACT INFORMATION	ON-SITE VISITATION	ONLINE SERVICES
Beaver County Jail	6000 Woodlawn Blvd., Aliquippa, PA 15001 Facility: (724) 378-8177 ICE: (215) 656-7154	Schedule: Pods B,C,D: Fri 830am-1030am, Sat 830am-1030am & 1230am-2pm Pods A, RHU, SMU: Weds 830am-1030am, Thurs 1230pm-2pm Female: Wed 1230pm-2pm, Thurs 830am-1030am Guidelines: Visits are 30 minutes. Visitors must arrive 15 minutes early with photo ID. Birth certificates are required for children and the detainee must be named as a parent on the certificate.	Prepaid Phone Commissary Deposits
Cambria County Jail	425 Manor Dr., Ebensburg, PA 15931 Facility: (814) 472-7330 ICE: (215) 656-7164	Cambria Visitation Schedule Cambria Visitation Guidelines	Prepaid Phone Commissary Deposits
Clinton County Correctional Facility	58 Pine Mountain Rd., McElhattan, PA 17748 Facility: (570) 769-7680 ICE: (570) 547-6903	Clinton Visitation Schedule and Guidelines Clinton Visitación Horario y Pautas (español)	Prepaid Phone Commissary Deposits

FACILITY	CONTACT INFORMATION	ON-SITE VISITATION	ONLINE SERVICES
Delaware County Prison (George W. Hill)	500 Cheyney Rd., Thornton, PA 19342 Facility: (610) 361-3200 ICE: (215) 656-7164	Delaware Visitation Schedule Delaware Visitation Guidelines	Prepaid Phone Commissary Deposits
Moshannon Valley	555 GEO Dr., Philipsburg, PA 16866 Facility: (814) 768-1200 ICE: (215) 656-7164	<u>Schedule:</u> Thurs and Fri 8am-330pm, Sat and Sun 8am-730pm <u>Guidelines:</u> Minimize metal. No leggings, tights, sweatpants, sandals. No ID required for visitors under the age of 16. Call facility with specific questions.	Prepaid Phone Commissary Deposits
Erie County Prison	1618 Ash St., Erie, PA 15603 Facility: (814) 451-7500 ICE: (215) 656-7164	Erie Visitation Schedule and Guidelines	Prepaid Phone Commissary Deposits
Pike County Correctional Facility	175 Pike County Blvd., Lords Valley, PA 18424 Facility: (570) 775-5500 ICE: (215) 656-7164	Pike Visitation Schedule and Guidelines Pike Visitación Horario y Pautas (español)	Commissary Deposits
York County Prison	3400 Concord Rd., York, PA 17402 Facility: (717) 840-7580 ICE: (717) 840-7253	York Visitation Guidelines York Visitation Schedule	Prepaid Phone Video Visits Commissary Deposits

Other

Can I pick up my friend or loved one's belongings?

- The detained person must give permission for the facility to release their property. At York County Prison, your friend or loved one can submit a York County Prison "Request Form" stating exactly what they want released and to whom. These forms are available in the housing units or from a prison officer.
 - For example, "Please release all my property to [insert person's name]." or "Please release my car keys and driver's license to [insert person's name]."
- Property can be picked up at York County Prison any day of the week between 845am-1130am and 1pm-330pm.

How can I send money?

- Most facilities use a service that allows online deposits (see "Online Services" in the [table](#) above) or will accept money orders sent via mail.
- Subject to facility [guidelines](#), York County Prison will accept deposits the following ways:
 1. [Online](#) with a debit or credit card.
 2. In person by cash, or money order.

- Monday through Friday, 8am-3pm at the Business Office or with the Visiting Officer (both at the main entrance of the male wing of the prison).
 - Money orders must be made out to your friend or loved one directly, not to the prison or anyone else. Where the money order says “Pay to the Order of:” put your friend or loved one’s name and their inmate ID. For example: **PAY TO THE ORDER OF: David Ortiz, #123456**
3. By mailing a money order. Make sure to make it out directly to your friend or loved one.
- The envelope containing the money order should be addressed like the [example above](#).
 - The prison will not accept cash or checks sent by mail, only money orders.
- In the event of a transfer, your friend or loved one:
 - Should not lose the money in their account, but there may be a delay before the funds are available to them at the new facility.
 - Will not be allowed to take any items purchased from the commissary (for example, radios, books, writing implements, medicine, extra clothing, etc.) with them to the new facility. They will not receive any sort of refund and will have to leave these items behind.

How do I help find legal representation?

- There is no right to free legal representation in Immigration Court cases, but each person does have the right to hire a legal representative if they want to. Many people with cases in the Immigration Court appear *pro se*, which means they act as their own representative.
- [Who can be a legal representative](#) in an Immigration Court case?
 - A lawyer/attorney with a [valid license to practice law](#), who is not [currently being disciplined](#) by the Immigration Court.
 - A fully accredited Department of Justice representative (see FAQ number 3 [here](#) for detailed information on full and partial accreditation).
 - When looking for legal representation, it is incredibly important to be aware of [scams by notaries public](#) or *notarios*. In the United States, notaries are not legal experts and they are not allowed to give legal advice or represent people in court.
- There are many ways to find legal representation and it is very important to find someone trustworthy. You may want to consider using one or all the following resources:
 - Contacting PIRC directly
 - Using the American Immigration Lawyers Association [Immigration Lawyer Search](#)
 - Calling the Pennsylvania Bar Association [Legal Referral Service](#)
 - Reviewing the Department of Justice [List of Pro Bono Legal Service Providers](#)
 - Reviewing the Department of Justice [List of Currently Accredited Organizations and Representatives](#) (this list does not contain any attorneys)

Where can I find reputable information about immigration law?

- Extensive, understandable information about defenses to deportation is [available on the PIRC website](#).
- The following websites are some of many that offer general information:
 - [ACLU Immigrants' Rights Project / español](#)
 - [American Bar Association Commission on Immigration](#)
 - [American Immigration Council](#)
 - [Catholic Legal Immigration Network, Inc. / español](#)
 - [Immi / español](#)
 - [Immigrant Legal Resource Center / español](#)
 - [National Immigrant Justice Center / español](#)

[Back to top](#)

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