



Supporting your loved one in their immigration bond hearing

# Freedom Together



que  
la  
merica  
hijo y nuestra

# What's a bond?

**An immigration bond** is an amount of money set by an immigration judge that must be paid in order for a person to be released from detention. The money is supposed to guarantee the person will return to court to fight their deportation case.

# What's a bond hearing?

**A bond hearing** is when an immigration judge decides whether to release a person from detention while their immigration case is taking place. Judges are supposed to base their decision on whether they think (1) the person is a danger to the community and (2) the person is unlikely to return to court (called "flight risk").

A bond hearing isn't a criminal trial—and it's not a hearing that decides whether someone can stay in the U.S. permanently.

**Here's how family members and friends can support their loved one's bond hearing:**

**Gather**  
documents about  
the person in  
detention

**Gather**  
documents about  
family members

**Write**  
letters of support

**Go to**  
the bond hearing

**Pay**  
the bond

# Gather documents about the person in detention

Your loved one will need to give the court personal documents in order to help make the argument that they should be released. You can help by gathering these documents and sending them to your loved one before the bond hearing.



## Gather documents that:

❑ **Prove the person's identity:** copies of foreign passport, green card, driver's license, social security documents

❑ **Show their ties to the community:** copies of bank statements, proof of employment history, pay stubs, tax returns, proof of a fixed address, proof of length of residence in the U.S., proof of any educational or vocational experience

❑ **Show why they deserve the immigration relief they're requesting:** copies of birth certificates for spouses or children who are U.S. citizens, documents that show it's dangerous to return to their home country

❑ **Show why the court should release them for "humanitarian reasons":** copies of physical or mental health records.

Common humanitarian reasons include if the person or their family is sick, if they care for young or elderly family, or if they're a member of a "vulnerable population" (like being LGBT, pregnant or nursing, or a veteran with PTSD).

❑ **If they have a criminal record, show how they've been rehabilitated:** copies of court records showing how the criminal case was resolved (called "certificates of disposition") and probation and treatment program records.

- ✓ Include photos of the person with family or community, if you have them. Describe who's in the picture and what's happening.
- ✓ Try to get as many documents as possible. Only send copies—keep the originals.

**All documents must be in English.**

**Send the documents to the person's lawyer, if they have one. If they don't, send them to the person in detention, so they can review the documents before giving them to the court.**

# Gather documents about family members

Family members should also gather and send documents about themselves. These documents help the person in detention show the court their ties to family and community.



## Family members should gather and send these documents about themselves:

- ❑ **Proof of identity, immigration status, and relationship to the person:** copies of passports, green cards, driver's licenses, social security documents, birth and marriage certificates
- ❑ **Proof that you can support the person financially if they're released:** copies of bank statements, tax returns, pay stubs
- ❑ **Proof of humanitarian reasons for release:** copies of physical or mental health records of family members who need the person's support

- ✓ Only send copies—keep the originals.
- ✓ This isn't a complete list of what you can include—if there's something you think would be helpful, include it!
- ✓ If you're undocumented and afraid to share any information listed here, talk to a lawyer first.

**All documents must be in English.**

**Send the documents to the person's lawyer, if they have one. If they don't, send them to the person in detention, so they can review the documents before giving them to the court.**

# Write letters of support

Family members, former employers, friends, neighbors, co-workers, and other supporters should write letters of support and send them to the person in detention. These letters show the court why the person matters to their family and community.



## Here's how to write a letter of support:

**1 Introduce yourself:** include your full name, address, immigration and employment status, and a copy of your ID.

✓ If you're undocumented, don't include your address or immigration status. You don't have to send a copy of your ID. Talk to a lawyer if you have questions.

**2 Emphasize that the person is not a danger to the community and that they will return to court.**

**3 Describe your relationship:** say how you know them and why they're important to you.

**4 Describe the person's character:** talk about their importance and contributions to family/community. If you're the person's employer, talk about their work ethic (if you have a job for them if they're released, say that).

**5 If the person has a criminal record, talk about positive changes:** don't focus on the details of their record. If they don't have a criminal record, be sure to say that.

**6 Explain the impact of their detention:** include their physical/mental health and any effects on their family/community.

**7 Describe how you'll support them if they're released:** say you'll help pay bond, make sure they return to court, and other ways you'll provide support, like helping them find work.

**8 Close your letter:** ask the court to release them on a reasonable bond.

## Before you send your letter, make sure to:

Sign it, date it, and make sure it's translated into English.

Get it notarized if you can.

Send everything to the person's lawyer, if they have one. If they don't, send it directly to the person in detention, so they can review it before giving it to the court.

# Go to the bond hearing

At the hearing, your loved one or their lawyer will make their argument, and the government will make theirs. They might be in a uniform and/or handcuffs, which can be hard to see. You might also hear things about your loved one that are difficult to hear.

If you're able to go, your presence will go a long way in showing the court that your loved one has support. But only go if it's safe for you to go—ask a lawyer if you're not sure.

**After the arguments are made, the immigration judge will decide whether to release the person.**

## The judge can decide to:

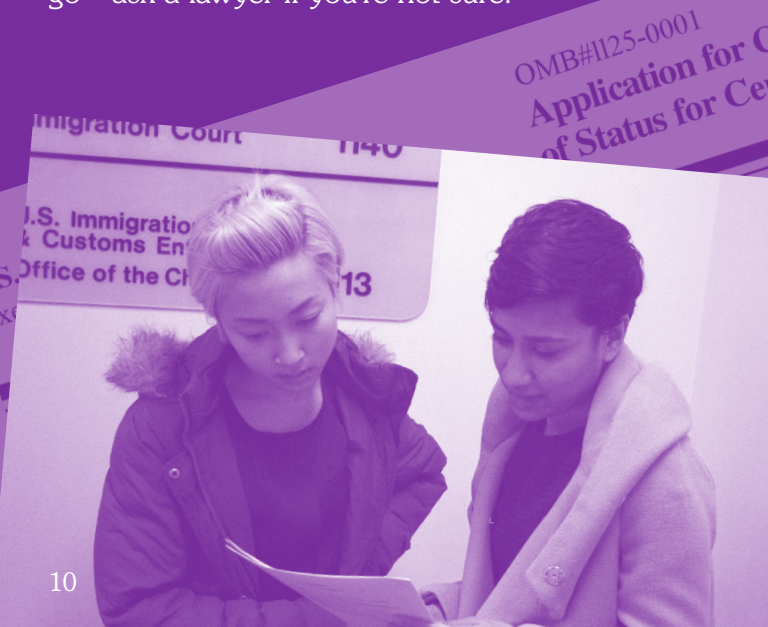
**Not grant a bond.** The person has the right to appeal the judge's decision.

**Release the person on “their own recognizance.”** This is rare, but it means that the person will be released without having to pay a bond.

**Grant a bond, but the bond is too high.** There's no limit to how much a bond can be, but it will be at least \$1,500. The person has the right to appeal the judge's decision and ask for a lower bond.

**Grant a bond and the person or their family is able to pay.**

Turn the page to find out more. 



# Pay the bond

You can pay the bond anytime before the person's next court date.

To pay the bond, you must have lawful immigration status.



## To pay the bond directly to ICE:

- Gather the money.** You must pay 100% of the bond amount by cashier's check, certified check, or money order. It should be made out to "U.S. Department of Homeland Security."
- Find the ICE Field Office closest to you.** You can pay at any ICE field office. Most locations can be found here: [ice.gov/contact/ero](https://ice.gov/contact/ero) or [ice.gov/contact/field-offices](https://ice.gov/contact/field-offices)
- Call the ICE Field Office to confirm what documents you should bring with you.** You usually need to bring government-issued ID, proof of lawful immigration status, your Social Security Number, and proof of address. You might need to bring proof of how much income you have, too.
- Coordinate transportation for the person in detention before you pay bond.** You might need to show ICE proof of transportation.
- After you pay the bond, hold on to the documents ICE gives you.** You'll need them to get your money back at the end of the person's deportation case. Remember that if the person misses even one court date, you could lose the money you paid.

## You can also pay through an immigration bond company.

They will pay the full amount for you in exchange for a percentage of the bond. You will not get back the money you pay the bond company.

- ✓ It's best to explore other options—like asking community members or doing a fundraiser—before using an immigration bond company.

If your loved one is released...

Don't forget that their immigration case isn't over!

They'll need to show up for all court appearances—they can end up back in detention if they don't.

If your loved one is not released...

Don't give up!

Contact an advocacy group or legal services organization to talk about what your options are.

**For information on free or low-cost legal services, visit:**

[immigrationadvocates.org/nonprofit/legaldirectory](http://immigrationadvocates.org/nonprofit/legaldirectory)



**This guide is for informational use only and is not a source of legal advice. Speak to a lawyer to get legal advice for your situation.**

The Center for Urban Pedagogy (CUP) is a nonprofit that uses the power of design and art to increase meaningful civic engagement. [welcometoCUP.org](http://welcometoCUP.org)

The Bronx Defenders provides innovative, holistic, client-centered criminal defense, family defense, civil legal, and social support services to indigent people in the Bronx. [bronxdefenders.org](http://bronxdefenders.org)

Immigrant Defense Project's mission is to secure fairness and justice for immigrants in the United States. [immigrantdefenseproject.org](http://immigrantdefenseproject.org)

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