

Detention Watch Network

Discrimination, Detention, and Deportation: Immigration & Refugees

<https://www.detentionwatchnetwork.org/issues/alternatives>

Campaign and Advocacy

Rather than reduce detention, punitive so-called alternatives such as ankle monitors have instead expanded the number of people under government surveillance

Alternatives to detention (ATDs) as defined by Immigration and Customs Enforcement (ICE) encompass a wide range of mechanisms to ensure compliance and move immigrants through their immigration court proceedings without detaining them inside detention centers. So far, alternative programming has been implemented mostly by ICE. As an agency whose primary mission is immigration enforcement, ICEs use of ATDs has proven to be another route to restrict and surveil immigrants and further alienate immigrant communities.

ICEs official alternatives or conditions of release currently include:

Nearly all of these (excluding bond and parole) are sub-contracted out to subsidiaries of the same private prison companies profiting off immigrant detention. ICEs largest alternatives to detention program, the Intensive Supervision Appearance Program (ISAP), is administered by Behavioral Interventions (BI), a GEO Group subsidiary. Private bail bond companies also make money off the imposition of bond, which can be set by either ICE or an immigration judge without consideration of an individuals ability to pay.

Parole should be more widely used, and current official policy suggests it would apply to nearly everyone who makes it through the initial eligibility screening for asylum. Instead, since late 2014, this policy has been increasingly ignored, leading to the long-term detention of most people seeking asylum.

ICEs approach to ATDs is entirely in contrast to the researched [best practices](#) for alternative programming for both protecting human rights and effectively helping immigrants through their proceedings. Instead of relying on detention or traditional ATDs as administered by ICE, the United States should take an opt-in community-based support services approach that provides immigrants that need and want them the necessary resources to navigate their immigration proceedings.

Although some non-profits have been resourcing these kinds of post-release support, they are not currently included in the governments officially administered alternatives and have not seen federal investment. Instead ICE is creating programming that is not community-based, relies on harmful mass surveillance tactics (scheduled check-ins, unannounced home visits, GPS tracking, voice and facial recognition) and painful, restrictive technology (ankle monitors), and fails to recognize the dignity and humanity of participants.

As a basic litmus test for whether or not they are being used correctly, alternatives must always decrease the number of people in detention. Instead, ICEs programs have been employed as a supplement to incarceration to increase surveillance of immigrant communities. As ICEs budget for alternatives to detention has increased, so has its budget for detention. In 2021 ICE received \$440 million in taxpayer dollars to operate and expand a massive ATD program, but without direction to abide by best practices for alternatives and only alongside another \$2.8 billion for the [ever-growing detention system](#). The Biden administration continues to significantly and quickly funnel people, including families, into the ICE ATD program. In December 2021, the number of immigrants enrolled in ICEs ATD program exceeded 150,000 for the first time.

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