

CALIFORNIA COLLABORATIVE FOR IMMIGRANT JUSTICE:

ALL ABOUT BONDS

Q. WHAT IS A BOND?

A bond is not a fine. It is a guarantee to the government that, if you are let out of detention, you will go to all of your hearings and will obey the judge's order at the end of the case. If you go to all your immigration hearings or interviews, whoever paid your bond will get the money back when your case is over. If you lose your case, you must report to DHS or you will not get the bond money back.

Q. ICE SET A BOND AMOUNT THAT IS TOO HIGH FOR ME TO PAY (OR ICE DID NOT SET A BOND AMOUNT IN MY CASE). CAN I GET THE AMOUNT LOWERED?

You can ask the Immigration Judge to lower your bond by requesting a bond hearing. However, the Immigration Judge does not have the power to lower everyone's bond amount. Also, the Immigration Judge has the power to *raise* the amount or take the existing bond away.

Q. CAN THE IMMIGRATION JUDGE CHANGE MY BOND?

Yes, UNLESS you are being charged as an arriving alien, or you were charged by ICE because you were convicted of certain types of crimes (including "aggravated felonies").

Q. I ALREADY HAD A BOND HEARING BUT THE IMMIGRATION JUDGE GAVE ME A BOND AMOUNT THAT WAS STILL TOO HIGH. CAN I ASK FOR ANOTHER HEARING?

No, unless your situation has fundamentally changed.

Q. I AM REPRESENTING MYSELF. HOW DO I PREPARE FOR MY BOND HEARING?

- 1) Gather documents that support your bond request (see pages 4-5, below).
- 2) Ask your family and friends to attend your hearing in person at the Immigration Court (tell them the **address** where they should appear from your bond hearing notice, including the **Floor** and **Courtroom** number listed on the hearing notice).
- 3) Practice answering the questions the judge might ask you by filling out the worksheet "Preparing for Your Bond Hearing".

Q. DO I HAVE TO PAY MY ENTIRE BOND AMOUNT TO GET RELEASED?

Yes.

Q. ARE THERE BOND AGENCIES THAT CAN HELP ME PAY MY BOND AMOUNT?

Yes. Refer to the **Bond Agencies** list, at page 8 of this packet. [Note that immigration bonds and criminal bonds are not the same.]

Q. MY FAMILY WANTS TO POST BOND FOR ME. HOW DO THEY DO IT?

The person supplying the bond money must show proof of identity. This person (the obligor) is responsible for ensuring that you present yourself before an officer or agent of ICE whenever a request is made. They will also be asked provide the address and phone number for you and some background information about you (including your date of birth, your place of birth, and the date and manner of your entry into the United States).

Bonds can be posted from Monday to Friday, 9 a.m. - 3 p.m. at any of the following Department of Homeland Security Offices by paying the full bond amount by cashier's checks or United States Post Office (USPS) money order, payable to the **"U.S. Department of Homeland Security."**:

800 Truxtun Ave, 1 st Floor	Bakersfield	CA	93301	(661) 328-4500
2051 N. Waterman Avenue, Suite 101	El Centro	CA	92243	(760) 335-2200
300 N. Los Angeles St., Suite 7621	Los Angeles	CA	90012	(213) 830-7911
650 Capitol Mall, Room I-120	Sacramento	CA	95814	(916) 491-2869
880 Front Street, Suite 2242	San Diego	CA	92101	(619) 436-0084
630 Sansome Street, 5 th Floor	San Francisco	CA	94111	(415) 844-5551
1564 Gateway Road	Calexico	CA	92231	(760) 768-6300

NO CASH IS ACCEPTED. Bond can only be posted with cashier's checks or United States Post Office (USPS) money orders, payable to the **"U.S. Department of Homeland Security."**

Q. THE PERSON WHO IS PAYING MY BOND DOES NOT LIVE IN THIS AREA. CAN THEY POST THE BOND IN ANOTHER CITY OR STATE?

Yes. A list of field offices can be found at <http://www.ice.gov/contact/ero/>. And a list of all of the locations throughout the United States where bond can be posted is here: <https://www.ice.gov/ice-ero-bond-acceptance-facilities>.

National Bond help desk: (866) 233-1915

Q. HOW SOON AFTER BOND IS POSTED WILL I BE RELEASED?

Typically, people are released on the day bond is posted, but release may be delayed until the next business day if the bond is posted late in the day or at a facility outside of the region where the individual is detained.

STEPS FOR REDUCING YOUR BOND

IF YOU ARE ELIGIBLE FOR A BOND, YOU MUST SHOW:

- ☞ You are not dangerous to people or property
- ☞ You will attend all your future court hearings

ASK FOR A BOND HEARING

You may request a bond hearing in one of two ways:

- ☞ **In writing.** Send a written request to the immigration court saying you would like a bond hearing, with the title “Motion to Request Custody Determination”, to:
 - The Immigration Court at the address on your Notice of Hearing
- ☞ **In person.** Ask the judge at your first hearing for a bond hearing;

NOTE: You may have already been scheduled for a bond hearing by the Immigration Court. Review all documents you have received to see if any are a “Notice of Hearing” regarding “bond”. If so, that notice contains the information about the location, date, and time of your scheduled bond hearing.

CALL FAMILY, FRIENDS, EMPLOYERS, RELIGIOUS LEADERS, ETC. TO REQUEST LETTERS OF SUPPORT, HELP COLLECTING EVIDENCE, & THAT THEY ATTEND YOUR BOND HEARING.

Suggestions for the letters of support:

1. It is recommended that you obtain as many letters of support as possible from family, friends, co-workers, religious institutions, and any other individuals or organizations with whom you have ties in the United States.
2. Must be written in English (or accompanied by a translation into English)
3. Should begin with “Dear Honorable Immigration Judge”
4. Must state the detainee’s full name and A number
5. Should include the letter writer’s address, U.S. immigration status, and signature
6. At least one letter should explain that the letter writer can help you with housing & food
7. The letter should explain why you are a good person, why you can be trusted to come to immigration court in the future, and why you do not present a danger to people or property
8. The letter should include whether the writer is able to help you to pay your bond, how much they can help, and why they can only help a certain amount (or why they cannot help)

Examples of evidence:

1. Evidence that your family members are U.S. citizens or legal permanent residents
 - a. E.g. birth certificates of your children born in the United States
 - b. Permanent Resident Cards, U.S. passports, or Naturalization certificates for relatives

- c. **Your family members should attend the hearing in person** or be available to testify by telephone (you must bring their telephone numbers with you to court and confirm in advance that they will be available to answer the telephone during the hearing). NOTE: it is not recommended that anyone without U.S. legal status attend court hearings.
2. Marriage certificates (if your husband/wife has immigration status in the U.S.)
3. Pay check stubs to show you have been working
4. Proof that you pay your taxes (copies of federal income tax returns; copy of your ITIN letter)
5. Certificates of completing classes
6. Any other proof that shows you have connections to the U.S., including any volunteer work, community service, church/temple attendance, etc.
7. Evidence of any property you own in the United States, if applicable
8. Any evidence that you have been the victim of a crime and have assisted with the investigation and/or prosecution of the offense (e.g. a police report listing you as the victim)
9. Evidence of your rehabilitation, such as participation in any rehabilitation programs or support groups
10. Evidence of how much you can pay for bond, for example:
 - a. Pay check stubs and income tax returns for you and anyone who can help you pay bond
 - b. Copies of utility and telephone bills and documentation of other basic expenses that you and anyone who can help you pay bond is responsible for

If your family or friends will mail the letters and evidence directly to you, they should mail you **copies** of everything **to arrive before your hearing date**. The safest method is to use an overnight express mail/courier service scheduled to arrive to your detention facility **at least 2 business days before your hearing**. Alternatively, your family or friends can bring **3 copies of all of the evidence** with them to the bond hearing at the San Francisco Immigration Court, but you will want to make sure that your friend/family member has previously explained to you in advance, and in detail, everything that has been gathered, so that s/he is only submitting evidence that **you** want the judge to have.

PRACTICE ANSWERING THE QUESTIONS THE JUDGE WILL ASK

Review and prepare to answer the questions on the next page to prepare for your bond hearing.

PRESENT YOUR EVIDENCE

On the day of your bond hearing, have your letter(s) of support and any other evidence in hand to file. **Your family and friends can, and should, come to immigration court to testify for you**, or they may testify by telephone. Make sure that all witnesses have legal status in the U.S. and to bring telephone numbers with you to court for any possible witnesses.

PREPARING FOR YOUR BOND HEARING

PRACTICE QUESTIONS AND SUPPORTING DOCUMENTS

WHAT WILL THE JUDGE ASK ME AT THE BOND HEARING?

Below are some questions the judge might ask you. Your bond hearing will be very short, so it will be very important for you to answer these questions before you go to court so you are prepared. You should bring this worksheet to court with you to make sure you don't forget what you want to say. Remember that most people only get ONE bond hearing, so **be prepared!**

- Do you have any family in the United States who are lawful permanent residents or United States citizens? List all close family members.
- Do any of your family members depend on you or have medical or other problems?
- Where do you live? How long have you lived there?
- Do you own property in the United States?
- When did you first enter the United States?
- Have you worked in the United States? What kind of work?
- Did you attend school in the United States? How far did you get in school?
- Are you afraid to return to your country? Why?
- Have any visa petitions been filed for you?
- Where would you live if you were released? (Be prepared to answer even if you have a no-contact order that keeps you from going home.)
- Where would you work if you were released?
- How much can you pay for bond?
 - ✓ How much are you able to pay for bond? How much money were you earning before you were detained? How much money have you saved up?
 - ✓ Which people in your family and life will help you pay bond?
 - ✓ Why can't your family and friends help you to pay more than that?
- Is there anything else you wish to say to support your bond request?
 - ✓ Tell the judge about any rehabilitation you did for any criminal convictions, such as alcohol and drug classes, or domestic violence classes. People with convictions are less likely to receive a low bond.

- ✓ Tell the judge what forms of relief you are applying for. People who are not applying for any relief are likely to get a high bond or no bond.
- ✓ Tell the judge about anything that you think helps you even if she hasn't asked.

WHAT DOCUMENTS SHOULD I BRING TO THE BOND HEARING?

The judge will ask you if you have any documents to give her to support your bond request. These are some examples of documents that could help you:

1. Letters of support from family, friends, and other members of the community (see details above)
2. Evidence that your family members are U.S. citizens or legal permanent residents
 - a. E.g. birth certificates of your children born in the United States
 - b. Permanent Resident Cards, U.S. passports, or Naturalization certificates for others
3. Marriage certificates (if your husband/wife has immigration status in the U.S.)
4. Pay check stubs to show you have been working
5. Proof that you pay your taxes (copies of federal income tax returns; copy of your ITIN letter)
6. Certificates of completing classes
7. Any other proof that shows you have connections to the U.S., including any volunteer work, community service, church/temple attendance, etc.
8. Evidence of any property you own in the United States, if applicable
9. Any evidence that you have been the victim of a crime and have assisted with the investigation and/or prosecution of the offense (e.g. a police report listing you as the victim)
10. Evidence of your rehabilitation, such as participation in any rehabilitation programs or support groups

You should have your family send 3 copies of all of the evidence to you directly, scheduled to arrive at the detention facility at least 2 business days prior to your hearing. Bring them to your bond hearing along with all legal paperwork you have in your possession.

WHAT PEOPLE SHOULD ATTEND THE BOND HEARING?

Your family members should attend the hearing in person or be available to testify by telephone (you must bring their telephone numbers with you to court and confirm in advance that they will be available to answer the telephone during the hearing). NOTE: it is not recommended that anyone without U.S. legal status attend court hearings.

BOND AGENCIES / AGENCIAS DE FIANZA

Immigration Bonds typically cost between 15-20% of the bond, depending on: the collateral used to guarantee the bond; its location; value; etc. Generally, collateral such as real estate, credit cards, stocks and bonds, and partial cash can be used to guarantee an Immigration Bond.

Las fianzas de inmigración típicamente cuestan entre el 15 y el 20% de la fianza, dependiendo de: la garantía utilizada para garantizar la fianza, su ubicación, su valor, etc. Generalmente, se puede garantizar la fianza de inmigración con los siguientes tipos de prendas: las propiedades inmobiliarias, las tarjetas de crédito, acciones y bonos, y pago parcial en efectivo.

Gonzales & Gonzales

1-800-628-8888

www.gandgbonds.com
412 E. Commercial Street
Los Angeles, California
90012

US Immigration Bonds

1-800-225-2587

www.usimmigrationbonds.com
114 SW 10th Street, Suite C,
Fort Lauderdale, Florida 33315

Berlin Bail Bonds

1-973-642-5523

berlinbailbonds@aol.com
972 Broad St
Newark, NJ 07102

Freedom Federal Bonding Agency

1-832-831-5252

www.freedomfederalbondingagency.com
6309 Skyline Drive
Houston, TX 77057

Martell Bail Bonds

1-888-865-Bail (2245)

www.martellbailbonds.com
18 Church Street 2nd Floor
Paterson, NJ 07505

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT**

In the Matter of

(print your name here)

Respondent.

A _____
(write your A number here)

IN REMOVAL PROCEEDINGS

DETAINED

MOTION FOR CUSTODY REDETERMINATION HEARING

Respondent, through this motion, requests a redetermination of the conditions of detention release pending determination of removability, pursuant to 8 C.F.R. § 1003.19 and 8 C.F.R. § 1236.1(d).

Respectfully submitted on:

Date

Signature
Respondent, *pro se*

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