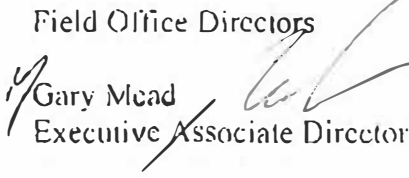




U.S. Immigration
and Customs
Enforcement

FEB 28 2011

MEMORANDUM FOR: Field Office Directors

FROM:  Gary Mead
Executive Associate Director

SUBJECT: Alternatives to Detention Program Participant Enrollment
Guidance

The Alternatives to Detention (ATD) program meets a critical need for community supervision of the non-detained alien population. Congress established the program in 2002 as a mechanism to facilitate alien compliance with court hearings and final orders of removal while remaining in their communities. The ATD program utilizes technology and case specialists to actively engage aliens as they progress through the removal process.

As a result of the ATD program's continued success as an effective flight risk mitigation tool, the demand for ATD participant slots has increased. In order to optimize the use of ATD resources, field offices are requested to follow the below enrollment guidelines for all existing and potential ATD participants.

1. *Prioritize the enrollment of aliens who pose a significant risk of flight and who are likely to be removed in the near future.*

ATD is not recommended for aliens who pose minimal flight risk. Therefore, non-detained, removable aliens who pose a significant risk of flight, are subject to a final order of removal, and are likely to be removed in the near future are the highest priority, followed by non-detained, pre-order aliens with limited community ties.

2. *Aliens who are not likely to be removed in the reasonably foreseeable future should not be enrolled (or continued) in the ATD program.*

When aliens are removed from the ATD program for this reason, field offices should use the "G" termination code. These aliens remain eligible for other monitoring methods, including release on bond. Should these participants become removable in the future, they may be re-enrolled into the ATD program as needed.

3. *Expand the use of technology-only (TO) reporting.*

Pre-order aliens who have ties to the community (e.g., family members, caregivers, property ownership) are most appropriate for enrollment in the TO program. TO participants cost significantly less than their full-service participant counterparts, and have similar compliance rates.

This guidance supersedes prior guidance noted in the following memos:

- Memo: March 8, 2005; *Reporting Requirements and Management of Alternatives to Detention Program Participants*
- Memo: May 11, 2005; *Eligibility Criteria for Enrollment into the Intensive Supervision Appearance Program (ISAP) and the Electronic Monitoring Device (EMD) Program*
- Memo: June 28, 2005; *Alternatives to Detention (ATD) Program Enrollment Guidance*

Appropriate enrollments in the ATD program will maximize its effectiveness as a flight risk mitigation tool and will allow for more flexibility in funding for field offices capitalizing on this valuable initiative.

Please contact Acting Deputy Assistant Director [REDACTED] at [\[REDACTED\]@dhs.gov](mailto:[REDACTED]@dhs.gov) or 202-732-[REDACTED] if you have any questions or concerns.