The Case Management Pilot Program: A Humane, Effective Alternative to Immigration Detention

What is the Case Management Pilot Program (CMPP)¹?

CMPP is a Department of Homeland Security (DHS) case management program for people seeking asylum and other protections in immigration removal proceedings. The case management and other support services are voluntary, client-driven, trauma-informed, and provided by experienced community-based organizations. Case management services are tailored to individual needs and include mental health care, cultural orientation, human trafficking screening and referrals, legal information and referrals, and connections with other community-based services, as well as pre-departure planning and reintegration assistance as appropriate. CMPP is overseen by a board composed of the non-governmental organizations of Church World Service, Catholic Charities USA, and The Center for Migration Studies of New York and is chaired by the DHS Office for Civil Rights and Civil Liberties (CRCL). Importantly, while enrolled individuals are still required to meet Immigration and Customs Enforcement (ICE) reporting and address obligations, CMPP subgrantees do not assist in ICE enforcement.

Where does CMPP operate?

CMPP's initial pilot phase launched in 2023 in New York City and Houston, Texas, and was funded at \$5 million through the Fiscal Year 2021 DHS Appropriations Act. The International Rescue Committee (IRC) in New York and BakerRipley in Houston lead consortia with other local community-based organizations in providing services to a goal 700 participating noncitizens. This first phase has been successful, and as of June 14 the providers in Houston and New York have surpassed the goal and have enrolled 865 individuals. The second pilot phase, funded at \$15 million for two years by the Fiscal Year 2022 DHS Appropriations Act, has expanded locations to Los Angeles, Baltimore, and Washington, DC serving at least an additional 2,800 individuals. The Los Angeles, Global Refuge (formerly known as Lutheran Immigration and Refugee Service) in Baltimore, BakerRipley in Houston, and Lutheran Social Services of the National Capital Area in Maryland, Virginia and Washington, D.C., are providing the services. An additional \$35 million provided across the Fiscal Year 2023 and 2024 DHS Appropriations Acts is set to roll out in 2024, potentially expanding CMPP to additional localities.

Who is eligible for CMPP?

To be eligible for CMPP, an individual must be a noncitizen in removal proceedings. In its initial phases CMPP participants have had to be currently or recently enrolled in an ICE <u>Alternative to Detention program</u>, specifically the Intensive Supervision Appearance Program (ISAP). However, starting with the third phase of the pilot (which has not yet begun), eligibility is set to expand to include individuals who have been processed by DHS but who are not enrolled in ISAP. This eligibility expansion is needed as many individuals—particularly families—most in need of case management have not been permitted to enroll due to the restrictive terms of the initial pilot phases.

CMPP service providers play a key role in identifying eligible candidates, whether through community referrals or walk-in contact at their service locations, while other eligible candidates are identified by CRCL, including through in-person outreach at ICE field offices. Not everyone who would like to participate or has been referred by an NGO will be enrolled due to capacity and because participants are randomly selected from the eligible and interested pool. Once enrolled, they are no longer subject to ICE electronic surveillance, although they must continue to attend ICE check-ins. CMPP is also undergoing a robust evaluation process of its data and processes, which relies on randomized sampling, to inform DHS on best practices going forward.

¹ Sometimes referred to as the Alternatives to Detention Grant Program.

What impact has CMPP already had during the pilot phase?

Given its unique posture, CMPP is anticipated to promote several positive outcomes, including but not limited to people having a better understanding of the immigration process, a reduction in failure to appear at court, requests for hearing continuances, and overall significant financial education as compared to detention.

In the initial CMPP pilot phase in Houston and New York, hundreds of individuals and families have been provided trauma-informed, core services that will allow them to prepare for and attend immigration court proceedings, equip themselves for economic self-sufficiency, and integrate into their communities. Additionally, departure planning for individuals who are to return home, a facet of CMPP, has already been used. Thus far, CMPP participants have complied with their immigration court proceedings at a rate that exceeds that of those enrolled in ISAP.

In early 2024, an IRC caseworker in New York City identified upon enrollment that a CMPP client unknowingly had a master calendar hearing scheduled in just a couple days' time – and it was to be held at an immigration court almost 1,500 miles away in Houston. The IRC team provided prompt assistance and coordinated with BakerRipley (the Houston CMPP provider), ultimately supporting the client in preparing for the hearing and securing a last-minute bus that allowed him to make it to the Houston immigration court with minutes to spare.

Per data collected by Church World Service, the most common services provided in the pilot thus far include mental health care, trafficking screenings, legal orientation, and health care and Individual Taxpayer Identification Number (ITIN) enrollment. Clients have also been referred to basic integration services like local food resources, language classes, legal representation, and housing assistance.

A Nicaraguan family enrolled in CMPP had no place to go and received temporary housing assistance in the form of an Airbnb by a BakerRipley subrecipient in Houston. The temporary support allowed the family to save enough money to move into the apartment where they currently reside. The daughter now has her own room for the first time since arriving in the U.S., and the whole family expressed a sense of security and renewed hope.

In New York, a family enrolled in CMPP just three days before they were evicted from the shelter where they had been staying. The family was placed in a secondary remote shelter far away from the children's school and without access to hot food. The CMPP caseworker supported the family in reapplying for a shelter closer to school and liaised with the shelter provider to improve food access and access information on steps to take if it was not delivered. Through quick thinking and interagency networking, this family shifted from crisis to relative stability.

As the program continues to grow and demonstrate efficacy as an alternative to both detention and ISAP, it can make an even greater impact with needed reforms to allowable direct services – including ensuring enrollees have access to more robust legal support.

Why is CMPP needed for orderly and humane migration policy?

Extensive evidence-based <u>international research</u> has demonstrated that case management, when appropriately implemented, is the most successful form of supporting people navigating the immigration process while also, ideally, reducing reliance on the use of detention. Case management models are both more <u>effective and humane</u> in helping people achieve stability in the community and meaningfully participate in their immigration proceedings, rather than detaining or electronically monitoring them. As one example, the <u>Family Case Management Program</u> drew on case management best practices to achieve more than 99 percent compliance by program participants with their immigration proceedings, while also supporting participants with accessing critical social, medical, and legal services, before it was prematurely terminated during the Trump administration.

What should happen next?

- Congress and the administration should work together to continue and significantly increase funding for the expansion
 and scaling nationwide of evidence-based case management programming for people seeking asylum and other
 protections in the US to ensure the long-term stability and success of CMPP-style case management beyond the pilot
 phase.
- CRCL and Congress should engage in robust monitoring and evaluation of the program, both in its current pilot and any future phases, to ensure continuous assessment of performance and opportunity for improvement in meeting the needs of people seeking asylum and ensuring their meaningful participation in their claims for protection.
- As CMPP is implemented and evaluated, CRCL and service providers must ensure that appropriate populations who seek and will meaningfully benefit from the services are targeted for enrollment.

Differences Between Case Management Approaches

	Intensive Supervision Appearance Program (ISAP) case management (2004 to Present)	Family Case Management Program (FCMP) (2016 to 2017)	Case Management Pilot Program (CMPP) (2023 to Present)
Administration	Contracted through ICE to Bl, a subsidiary of the for- profit private prison company GEO Group, and included non-profit sub-grantees.	Contracted through ICE - the agency in charge of detention and deportation - to GEO Group, a for-profit private prison company.	Administered by the DHS Office of Civil Rights Civil Liberties, funded through the Federal Emergency Management Agency, with implementation overseen by a national board, including NGOs.
Approach	• Emphasizes surveillance and compliance, including use of electronic monitoring; forprofit contractor often lacks the trauma-informed care and legal support crucial to the efficiency and fairness of asylum adjudications and inconsistently utilize community-based social service expertise, and as a result relied on Wraparound Stabilization Support Services (WSS) provided by local groups to facilitate services crucial to case management. ²	Provided limited case management programming, including orientation and referrals to non-profit service providers, with core services ultimately required by ICE to be subcontracted through community-based organizations.	Relies on evidence-based case management best practices to connect people going through immigration court removal proceedings to the support they need, including legal information and referrals to help them understand their immigration obligations.

CMPP's separation from ICE ensures that the program's focus remains on the participants' underlying wellbeing, which is critical to their ability to comply with their immigration obligations. It also means that enrollment in CMPP is not tied to the length of someone's immigration proceeding (which given case backlogs, can be several years). This can help keep costs low and service-focused. CMPP provides the resources a person needs only for as long as they need them. Under the enforcement driven model, people may not be quickly removed from ISAP which needlessly inflates the overall enrolled population and increases government costs.³

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² Wraparound Stabilization Support Services (WSS) provided by local groups to facilitate services crucial to case management under ISAP was terminated on June 18, 2024. ISAP now operates without community-based support services.

³ DHS <u>estimates</u> that it costs an average of \$164.65 a day to detain an adult in ICE detention and far more to detain a family with minor children, when that practice was permitted. Case management programs regularly cost far less than detention and do not come with the inherent risk of bodily injury and litigation risks associated with detention because of deaths in custody or violations of standards and Constitutional protections.