
The Release of Families Seeking Asylum across the U.S. Southwest Border

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Executive Summary

In 2018, there was a marked spike in Central American families and unaccompanied minors who arrived at the U.S.-Mexico border, many who were requesting asylum. Citing an alleged lack of detention space and processing capacity due to restrictions on family detention, the Department of Homeland Security (DHS) ended a long-term practice known as “safe release” in October 2018, first in Arizona and then across all southwest border states.

Under the safe release practice, Immigration and Customs Enforcement (ICE) officials assisted families and individuals released from temporary detention with the coordination of their travel plans to meet up with sponsors while they waited for their asylum court hearing. After the change in practice, DHS began releasing people directly to bus stations, shelters, and in some cases streets of cities across the southwest border in a practice that has been referred to as “quick release.”

This report provides a snapshot of the shift from safe to quick release along the southern border from October 2018 to June 2019, compiling fieldwork, in-person and phone interviews with representatives from civil society and religious organizations, lawyers, and journalists on both sides of the border. It documents the policy change as well as the state and local responses.

Key Findings

- Between December 2018 and June 2019, under the “quick release” policy, DHS released over 250,000 parents and children from temporary detention into over 20 cities along the southern border.
- Under the quick release policy, responsibility for arranging travel plans and providing temporary shelter for thousands of people released from detention shifted from the federal government to local actors such as civil society, religious organizations, and local and state governments. The variation in the numbers of releases across the border—with a concentration in the Rio Grande Valley and El Paso sectors—affected the ability of local actors to receive the flows. Yet, by and large, the work of local stakeholders to provide shelter and redirect asylum seekers to other communities when necessary kept most asylum seekers from ending up on the streets.
- This change in policy added new barriers for asylum seekers in the U.S. asylum process, as it became more difficult to travel to their sponsors residence and receive information about the date and location of their court hearing.

Introduction

The recent mass arrival of migrants to the U.S.-Mexico border marked a departure from the decades-old migration trend of primarily single Mexican adults. Since 2014, fewer Mexicans were apprehended by border authorities than migrants from other countries, particularly El Salvador, Guatemala, and Honduras. An increasing number of these migrants were [unaccompanied minors or part of a family unit](#), meaning one or more parents traveling with one or more children. The majority of these unaccompanied minors and families were requesting asylum. In 2018, [defensive asylum claims](#) reached [111,000](#)—a four-fold increase from the 23,000 claims filed in 2013 — with El Salvador, Guatemala and Honduras being the top countries of origin for asylum claims in the U.S.

The increase in asylum requests from family units posed challenges for the federal government. The already lengthy backlog of asylum claims [grew to over 335,000 in 2019](#). Yet instead of increasing resources to expedite the processing of requests and reduce the backlog, the Trump administration responded to the changes with a number of measures that aimed to restrict and narrow pathways to gain asylum in the U.S.—several aimed specifically at families. These measures included: eliminating gang and domestic violence as grounds for asylum; implementing a “zero tolerance” policy in which first time unauthorized adult border crossers are prosecuted as criminals, leading to the [separation of parents and children](#) arriving to the border together; artificially [limiting the amount of people who are allowed to file an asylum claim per day](#) through “metering,” leading to more people waiting in potentially dangerous situations in Mexico; and attempting to increase the timeframe that families can remain in detention.

Amidst the surge in asylum requests and rapid policy changes to restrict pathways to asylum, the Department of Homeland Security (DHS) [ended a key policy](#) regarding the release of migrants from temporary detention. In October 2018, DHS [terminated its “safe release” practice](#) of coordinating travel arrangements for asylum seekers or other migrants who are released from detention and are required to meet up with their sponsors while they await their court date. Instead, DHS began releasing families and individuals seeking asylum directly to bus stations, city streets, and shelters across the border in a practice that has been called “quick release.”

Due to this change in policy, from December 2018 to September 2019, Immigration and Custom Enforcement (ICE) and Customs and Border Protection (CBP)—two sub-agencies of DHS—[released nearly a quarter million](#) parents and children from temporary detention into over 20 cities along the southern border. This has translated to thousands of people released across different sections of the U.S.-Mexico border. Between the end of December 2018 and September 2019 roughly 21,500 people in family units were released 21,500 in southern California, 42,200 in Arizona, 75,900 in New Mexico and the El Paso area, and 86,000 in central south Texas. The change in policy created new barriers for asylum seekers in arriving to their sponsor’s residence and attending their court hearings. The sudden release of thousands of people into border communities also stretched local resources.

Religious organizations, NGOs, and state and local governments across California, Arizona, New Mexico, and Texas responded to the mass releases in varying degree. To temporarily house people while travel plans were made, new migrant shelters opened, existing shelters expanded

capacity, and some NGOs resorted to renting hotel rooms. Some local governments provided funding for NGOs, locales for shelters, transportation, and other logistical support. Volunteer groups formed in bus stations along the border and across the entire country to provide families with food for their trip and logistical support. However, at the same time, several localities prohibited state and local aid to people released from temporary detention.

This report provides a snapshot of the termination of the safe release policy and the responses enacted by civil society and local governments from primarily from primarily from October 2018 to June 2019, with some updates through September 2019. The analysis draws on in-person and phone interviews with representatives from civil society organizations, journalists, and members of the public on both sides of the U.S.-Mexico border, as well as government and legal documents and news articles.

The first section of the report details the termination of the safe release practice across the border, the process of quick release, and the effects on asylum seekers of the change in policy. It also maps out the cities where releases took place from October 2018 to summer 2019. The second looks at civil society's response to mass releases in 2014, the Trump administration's enforcement policies, and the recent releases since October 2018. The third section describes the state and local government response in Texas, New Mexico, Arizona, and California. The conclusion summarizes the report's main findings and the future challenges for civil society given the implementation of Migrant Protection Protocols across the border.

The Termination of Safe Release

Individuals who fear returning to their home country can legally request protection from the United States when they arrive at the border. Non-refoulement protections under U.S. immigration law, which were adopted based on the 1951 Convention on Refugees, includes asylum, withholding of removal, and protection under the Convention Against Torture. At the border, individuals can request asylum at an official border crossing, also known as a “port of entry,” by presenting themselves to immigration officers, even if they do not possess documents to legally enter the United States. Alternatively, those individuals who are apprehended by Border Patrol while crossing without authorization between ports of entry, can also request protection. These individuals would otherwise be placed in the expedited removal process, meaning they would be removed from the United States without the opportunity to see an immigration judge, but if they express a fear of returning to their home country, they must be provided the opportunity to apply for protection.

Generally, both groups of individuals described are then processed and given either a credible fear interview or a reasonable fear interview, to see if they meet the minimum standard to continue with the process of applying for protection before an immigration judge. For individuals that seek protection in this manner, their cases are adjudicated in removal proceedings in immigration court. This process of applying for protection is called “defensive” because the non-refoulement protection is used as a defense against receiving an order of removal by an immigration judge. Those individuals who have not recently entered the United States can also seek non-refoulement protection, whether that be during their removal proceedings or by applying affirmatively to United States Citizenship and Immigration Services (USCIS).¹

After the credible fear screening or reasonable fear screening², Customs and Border Protection (CBP) transfers asylum seekers to ICE, where the processing of family units with minor children differs from single adults. ICE detains single adults in an immigrant detention center or can release them under an alternative-to-detention program while they wait for their asylum case to be decided by a judge. Through [alternatives-to-detention](#), asylum seekers can be released from temporary detention with a Notice to Appear (NTA) and are required to check in with ICE roughly two weeks after their release. Released individuals must wear ankle monitors that track their location at all times prior to their court date. For families, due to legal restrictions under the Flores Settlement³ on detaining children for more than 20 days, ICE can either put the children in a shelter or release the entire family to sponsors into the interior of the country.

¹ The application for asylum has a one-year filing deadline from the date of the applicant’s most recent entry to the United States. It’s possible to overcome the one-year filing deadline in exceptional circumstances. Those that are ineligible for asylum due to the one-year bar, can still seek protection such as withholding of removal and protection under the Convention Against Torture.

² The reasonable fear screening is conducted for individuals that do not qualify for asylum because they have a reinstated order of removal; Generally, this occurs when an individual returns to the United States without authorization after receiving an order of removal. Although these individuals cannot qualify for asylum, they can seek other non-refoulement protections such as withholding of removal or protection under the Convention Against Torture. Once they pass the reasonable fear screening, they are then in “withholding only” proceedings in immigration court.

³ In August 2019, the Trump administration announced proposed changes to the Flores Settlement Agreement that will terminate the restrictions on holding children in detention facilities. The change will allow children, and their parents, to be detained indefinitely. Twenty states sued the administration over the new rule.

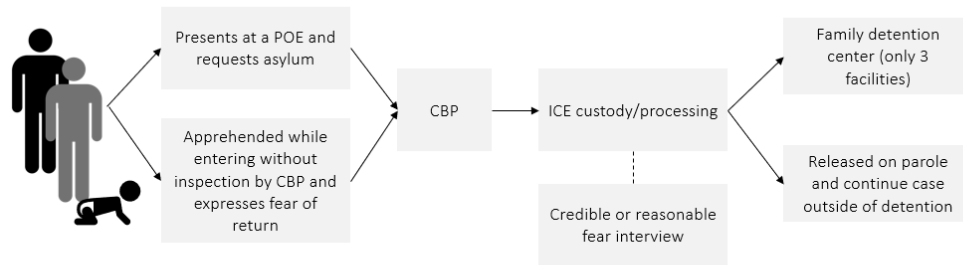
The time that it takes to adjudicate application for asylum can vary depending on whether the individual is detained or not detained. It can also vary geographically or if the case is before the Executive Office for Immigration Review (EOIR-Immigration Court) or before USCIS.

Currently, due to a large and growing backlog of asylum cases, many asylum seekers will wait two years for an initial review of the merits of the asylum case, and some will wait as long as five years⁴. According to Syracuse University's [Transactional Records Access Clearinghouse \(TRAC\)](#), four out of five asylum decisions were part of cases that took more than 12 months to decide. In January 2018, the Trump administration announced that UCSIS would start processing the asylum cases that were most recently filed.

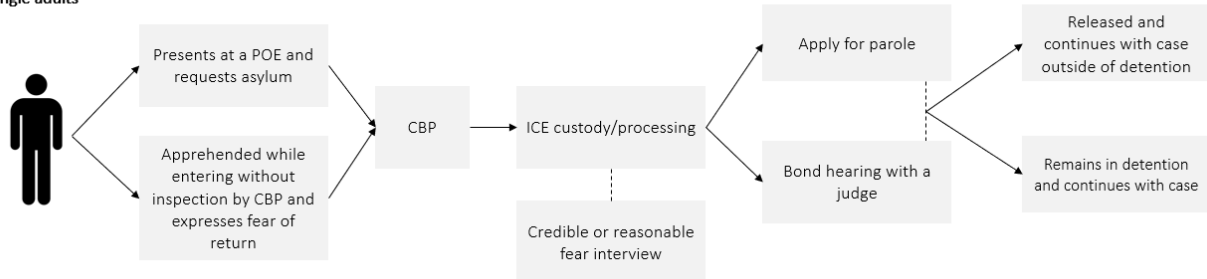
⁴ Statutory requirements stipulate that asylum applications be processed in 180 days. Asylum seekers are granted work authorization after 180 days.

Figure 1: Defensive asylum claims process for families versus individuals

Family units with minor children



Single adults



Note: This chart refers to individuals who seek non-refoulment protection at a port of entry or have been apprehended within 14 days or less since entering without inspection. This chart refers only to individuals who receive positive credible or reasonable fear interviews and not those that are removed through the expedited removal process. This chart is a stylized example of the process of requesting asylum for a family unit with a minor child, in comparison to a single adult. There may be variations in the process for different individuals, depending on the country of origin, the location where they apply, etc.

Source: Author's elaboration.

Through safe release, ICE officers reviewed asylum seekers' plans for living in the United States and coordinated the necessary travel arrangements to the family sponsor's residence, such as the purchase of bus tickets. The process of arranging travel changed on October 7, 2018 when ICE ended this practice of coordinating post-release plans in Arizona. ICE spokesman Yasmeen O'Keefe explained the policy change stating that: "in light of the incredibly high volume of [family units] presenting themselves along the Arizona border, [that] ICE no longer has the capacity to conduct these reviews." Then Secretary of the Department of Homeland Security Kirstjen Nielsen commented that when DHS cannot keep families in detention "long enough to have that conversation," the department tries to coordinate with local NGOs and charities.

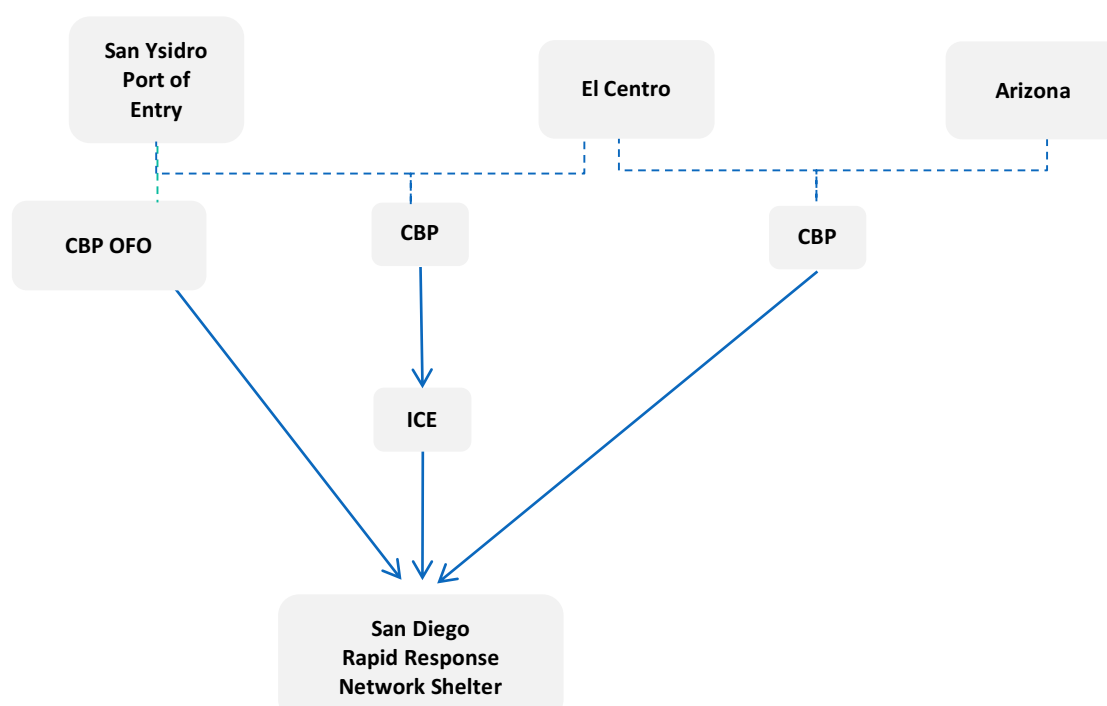
On October 23, ICE ended the policy of safe release across the entire Southwestern border. Given the change, "family units that are released will be enrolled in a form of ICE's Alternatives to Detention or released on another form of supervision," and they "will be issued a Notice to Appear in immigration court, as appropriate." In the statement, ICE also [said](#) it would work with local and state officials "so they are prepared to provide assistance with transportation and other services."

ICE had previously coordinated with migrant shelters for a number of years in various parts of the border for the release of families, typically waiting until space freed up in the shelters and coordinating travel plans before releasing them from detention. Yet, due to this shift in policy

from “safe” to “quick” release, ICE claimed that it no longer had to wait until space became available in the shelters.

Figure 2 shows an example of the release flow for asylum seekers in San Diego, CA. In response to the shifting policies, the Rapid Response Network, launched in San Diego in October 2018, created a shelter to support the organization of family unit asylum seekers’ travel plans. People released from detention from San Ysidro, El Centro or Arizona were all funneled through Customs and Border Protection. In some cases, migrants were released directly from CBP (such as in Arizona) to the San Diego Shelter. In other cases, migrants were processed by CBP, transferred to ICE for longer detention, and subsequently released to the shelter. This figure shows that releases of detainees, across agencies and localities, was uneven and complex.

Figure 2: Release flow for asylum seekers released by DHS in San Diego, CA



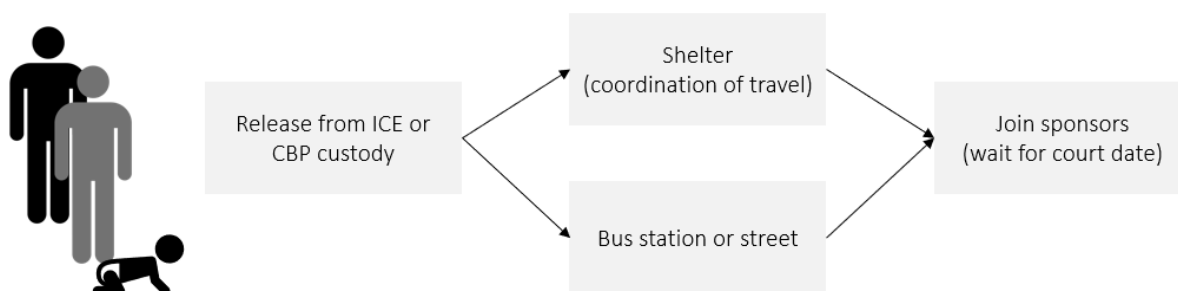
Note: This flow chart refers only to the population served by the San Diego Rapid Response Network (SDRR), which are primarily asylum-seeking family units with accompanying minor children. “CBP OFO” refers to U.S. Customs and Border Protection Office of Field Operations.

Source: Author’s elaboration.

In the months following the termination of safe release, on several occasions, ICE dropped asylum seekers at bus stations or on the streets in cities such as San Diego, El Paso, and Deming, New Mexico, with ankle monitors, a Notice to Appear in immigration court in their final destination, and no additional information or resources. Yet, for the most part, civil society communication with ICE to ensure families had a place to stay to organize their travel. In this practice, ICE or Border Patrol dropped off asylum seekers at shelters within an eight-hour radius. Shelters generally provided one to two nights of accommodations, a change of clothes, shower,

food, support with contacting family members and making travel arrangements, and transportation to the bus station or airport. Many asylum seekers reportedly did not have the resources to pay for transportation to the sponsor's residence and had to either rely on family sponsors or NGOs and shelters to cover the cost of their ticket.

Figure 3: Flow of quick release of migrants from ICE or CBP custody



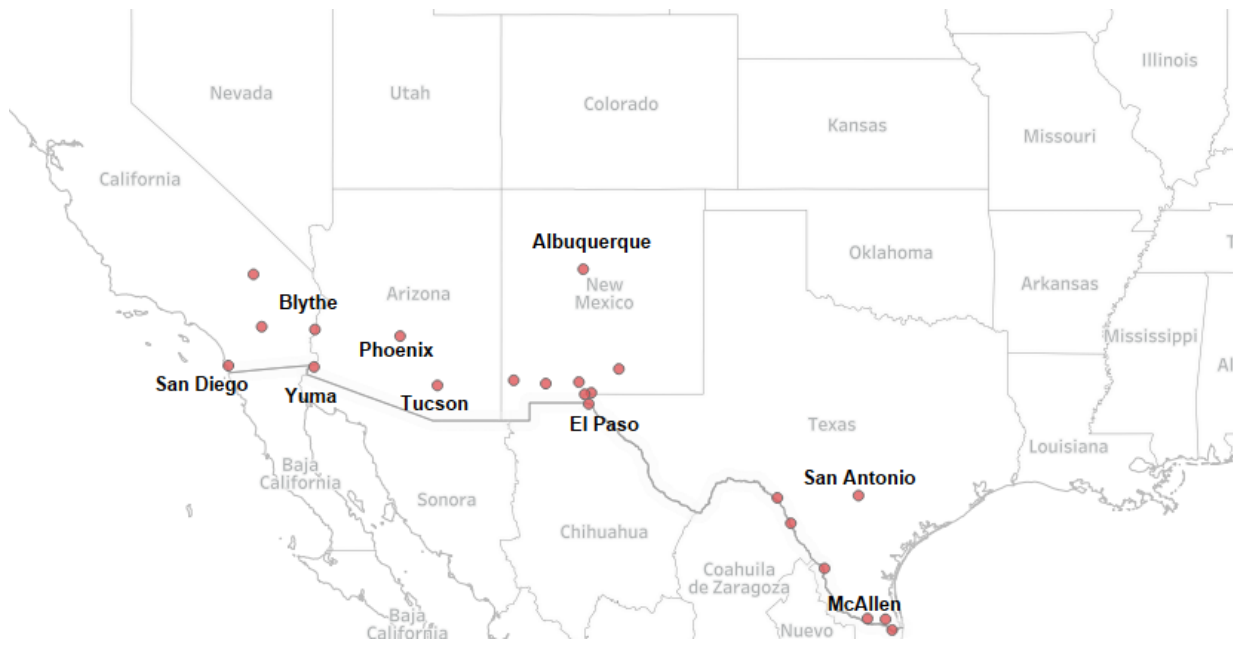
Source: Author's elaboration.

In the spring of 2019, an increasing number of migrants were apprehended at the border. At this time, reports surfaced of the poor conditions in Custom and Border Protection's temporary detention facilities, especially in the El Paso Sector, which were [built decades ago for a different arriving population of primarily single adult males](#). Due to legal restrictions in the *Flores* settlement, CBP cannot hold families with minor children for more than 72 hours.

CBP began directly releasing families from Border Patrol stations to local shelters in Texas in March 2019, and in Tucson in late April 2019, yet there were reports that CBP began these direct releases in the San Diego area of responsibility as early as November 2018. [According](#) to Assistant Commissioner for Public Affairs Andrew Meehan, "for the first time in over a decade, CBP is performing direct releases of migrants when ICE is unable to provide bed space to relieve overcrowding. We're going to be doing this on a risk basis." DHS has not released official statistics, yet news articles [reported](#) that CBP released 40,000 asylum seekers from mid-March to mid-May 2019.

From October 2018 to September 2019, ICE and CBP released asylum seekers in over 20 cities in California, Arizona, New Mexico, and Texas. Figure 4 shows the cities where these releases took place.

Figure 4: Cities where family units and individuals were mass-released by immigration authorities



Note: Migrants have been released by ICE, CBP, or a combination of both agencies across jurisdictions. Most migrants released since Oct. 2018 are family units or unaccompanied minors, but releases can also include single adults.

Source: Author's elaboration based on news reports and interviews.

Civil society representatives across the border questioned DHS' pretext of limited capacity due to restrictions on family detention and potential political motivation behind the policy change. After prior experience in processing large numbers of family units and unaccompanied minors who arrived at the U.S.-Mexico border in 2014, the federal government did not expand family detention space, invest in alternative to detention programs, coordinate closely with local agencies, or invest in expediting the processing of asylum requests. Instead, the federal government rolled out a series of new policies designed to make the process of seeking asylum more difficult, including metering and the zero-tolerance policy.

Beginning in January 2019, the federal government also [rolled out the Migrant Protection Protocols \(MPP\)](#), also referred to as "Remain in Mexico," a policy that sent asylum seekers back to Mexican border cities, including Tijuana, Mexicali, and Ciudad Juárez, to wait for their court date, instead of releasing them into the United States. In summer 2019, the federal government extended this policy to the entire U.S.-Mexico border, which led to a marked decrease in releases within the U.S.

New challenges for asylum seekers under “quick release”

In addition to the new pressure on local actors to provide temporary housing and travel arrangements for released asylum seekers, “quick release” also created a new challenge for asylum seekers to attend their court hearing. Civil society organizations across the border reported cases where families were released without a Notice to Appear in court. In other cases, families were given Notices to Appear at the time of their “quick release,” but the notice did not contain the location and time for the court hearing because these details had not yet been determined. Since asylum seekers were released before travel arrangements and their sponsor’s mail address was confirmed, many could not receive notifications and updates through the mail about the date and location of the court hearing. Shelters such as Annunciation House in El Paso provided their addresses to appear on the Notice to Appear so that families could be released from detention, but did not have the capacity to follow up with individuals if updates arrived from the court.

According to [Transactional Records Access Clearinghouse](#)’s review of court records, the problem of families receiving timely hearing notice led to almost ten thousand “phantom” family cases in the Immigration Court’s database system, which is used to manage hearing notifications. According to U.S. law, there is no legal requirement that immigrants receive notice of their hearings. These “phantom” cases had a sequence number but all other data was missing such as the date of their Notice to Appear, alleged charges, and the family’s contact information.

Civil society’s response to mass releases

The termination of safe release shifted responsibility of assisting and arranging travel for people processed by immigration authorities from the federal government to other actors. After migrants began being released at bus stations or on the streets of border cities without any assistance, several NGOs in California, Arizona, New Mexico, and Texas began emergency responses to house, feed, and assist released migrants. Churches, volunteer groups, and NGOs provided legal workshops, health screenings, food and new clothes, assistance with travel arrangements, and most importantly temporary shelter. Many efforts were led by religious organizations, who have been very active in assistance to migrants along the border— Jewish Family Services in San Diego, Catholic Community Services in Tucson, and Catholic Charities in Rio Grande Valley.

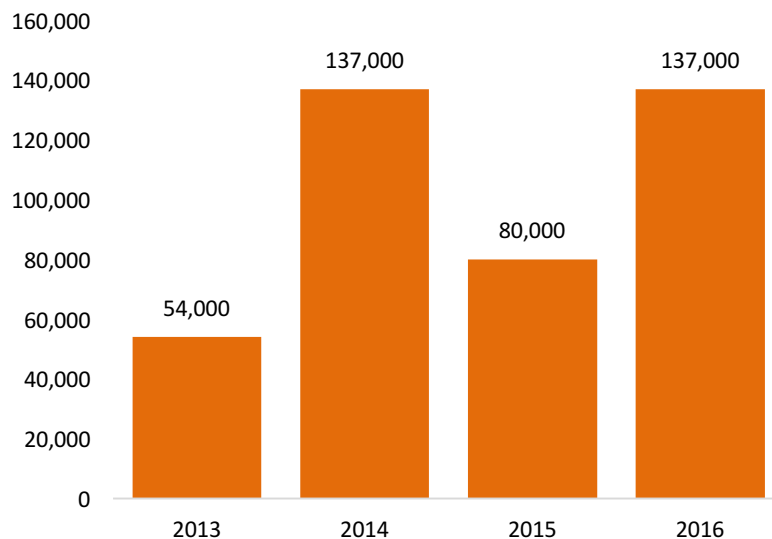
This section details the responses from civil society organizations during previous spikes in asylum requests, as well as the creation of volunteer groups and emergency shelters.

Civil society’s response to 2014 releases

After the termination of the safe release policy in 2018, several organizations were created or convened to assist people being released. Moreover, organizations on the U.S. side of the border had been created several years earlier during the 2014 Central American refugee crisis. The events of 2014 had established relationships and communication channels between DHS and local communities that facilitated releases of people directly to local organizations.

In 2014, thousands of unaccompanied minors and families began [arriving at the southern border, primarily from the Central American countries of Honduras, Guatemala, and El Salvador](#). This wave of arrivals was different from previous migratory events given the large number of unaccompanied minors and family units presenting at the southwest border. In 2014, roughly 137,000 parents, children, and unaccompanied minors arrived at the southern border, doubling the numbers from approximately 54,000 in 2013. The vast majority crossed through Texas.

Figure 6: Minors and people in family units apprehended at the southwest border, 2013-2016



Note: Years are fiscal years. Customs and Border Protection define 'family units' as individuals apprehended with a family member by border patrol. Apprehensions represent events and not individuals. Figures rounded to the nearest thousand.
Source: Customs and Border Protection.

This sudden influx overwhelmed federal immigration authorities' ability to temporarily hold people as they were screened and processed. ICE began releasing asylum seekers on the streets of El Paso, and to a much lesser extent to the Rio Grande Valley. Similar to the recent increase in asylum seekers since October 2019, people were released pending adjudication of their asylum case. In response, Texan organizations such as Annunciation House in El Paso, Catholic Charities of the Rio Grande Valley, and [RAICES](#) in San Antonio quickly set up shelters to provide short-term accommodations and support asylum seekers with their travel plans⁵.

At the beginning of June of 2014, ICE started coordinating releases directly with Annunciation House in Texas, which built up a network of shelters to receive families. At the end of 2014, the state's family detention centers in Dilley and Karnes opened, which together had space for nearly 3,000 beds⁶. The numbers of families released decreased by almost half to roughly 80,000 in 2015. Yet in the following years Annunciation House continued to receive families that could not fit in the family detention centers, maintaining a direct line of communication with ICE.

⁵ Shelters assisting migrants released along the border report that most people only require temporary shelter (1 to 2 days). Most are traveling to other cities to meet up family members or friends while they await their court proceedings. [This report](#) from the New York Times in 2018 shows the various destinations of asylum seekers from a shelter in Tucson, Arizona.

⁶ See <https://bipartisanpolicy.org/blog/what-you-need-to-know-immigrant-family-detention/> for more details on family detention centers and related policies and standards.

Similar responses happened in California after ICE began flying asylum seekers to be processed there. ICE initially planned to fly migrants from Texas to a Border Patrol station in Murrieta, California. A series of [protests from local residents](#) in 2014 caused federal immigration authorities to redirect migrants to San Diego. Many San Diegan local organizations including the Jewish Family Service and Casa Cornelia Law organized clothing and food drives to support released families.

Other mass-release of migrants from temporary detention occurred in San Diego in 2016. ICE began releasing Haitian families without coordinating travel plans after an [influx of Haitian and African migrant](#) arrived at the Tijuana border. More than 5,000 Haitians were released into San Diego and were assisted by [Christ United Method Ministry's Safe Harbor Network](#)—a collection of organizations, churches, and individuals assisting asylum seekers—by providing basic necessities such as food, clothes, a place to sleep and assistance with connecting them to their families. Many of these organizations would later form the San Diego Response Network which started assisting the migrants released in 2018.

In Tucson, Catholic Community Services of Southern Arizona opened [a migrant shelter](#) in 2014 to assist families released by ICE as a direct result of the changing demographics of arriving migrants. A network of churches operated small shelters, like Casa Alitas and the Inn Project. At first [Casa Alitas operated out of a four-bedroom house](#) providing asylum seekers released with temporary housing, food, and clothing. Volunteers at the shelter also helped migrants arrange transportation to their final destinations by helping them buy bus or plane tickets.

These connections between non-governmental organizations and federal immigration authorities created a direct relationship that facilitated communication after the termination of “safe release” in late 2018.

Civil society's response to Trump administration's policies before the end of safe release
Changes in immigration policy and migration trends during the Trump administration renewed a network of civil society organizations aimed at helping asylum seekers and migrants released at the southwest border. Several organizations, like Texas' Annunciation House, had been in operation since or before 2014. Others were created in 2018 after hundreds of migrants began being released in cities across the border. Importantly, there was variation across the border in the level of civil society responses, which have largely depended on the volume of arrivals in their respective border cities.

For example, in 2017, a coalition of more than two-dozen immigrant-serving and advocacy organizations across San Diego established the [San Diego Rapid Response Network \(SDRRN\)](#) in order to combat illegal deportations and raids. SDRRN now runs a 24-hour hotline operated by volunteer dispatchers to provide emergency assistance throughout the region.

In Texas, due to the news of family separations along the southern border and families sleeping on bridges waiting to request asylum, a group of five women created [Angry Tías y Abuelas](#) in the Rio Grande Valley in June 2018. These women provide resources including food, clothing, and personal hygiene products to asylum seekers at the international bridges and bus stations in McAllen, Harlingen, and Brownsville.

Later that summer, two dozen women took a road trip from New York to McAllen, Texas, to draw awareness, and to protest the separation and detention of families. They later formed [Grannies Respond](#), which stationed volunteers at bus stations throughout the country to support asylum seekers who were traveling to meet their sponsors. Volunteers arrived at bus stations as early as 5am to provide food, clothing and information to asylum seekers during stopovers as well as at their final destination.

Civil society's response to varying flow of migrants after the termination of safe release

Civil society's capacity to respond after the end of safe release was contingent on the volume of releases in different parts of the border. NGOs in San Diego and Arizona, for the most part, were able to manage the flow of asylum seekers from October, 2018 through the summer of 2019 by opening new shelters. Texas—the primary destination for families and unaccompanied minors crossing the southern border since 2014⁷—encountered greater challenges due to the much greater number of people arriving at its borders and had to redirect asylum seekers to other cities.

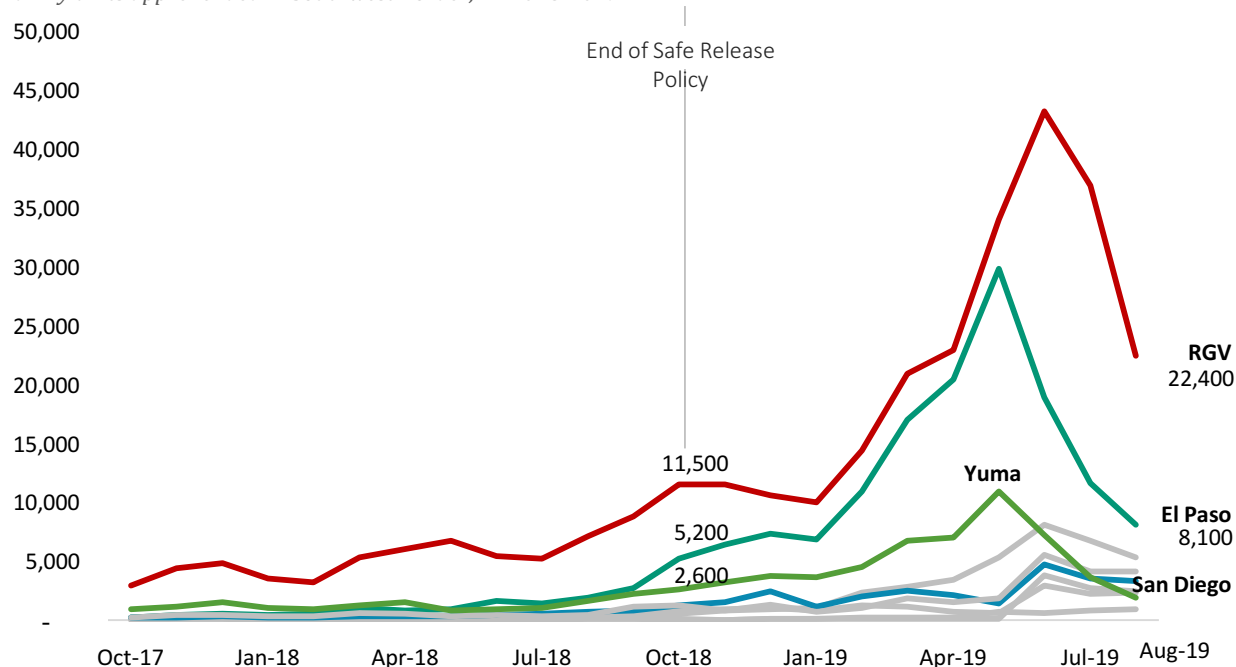
Figure 7 shows the number of family units and unaccompanied minors apprehended along the southwest border from October 2017 to August 2019. Many of these individuals requested asylum.

The figure shows family units and minors apprehended by Border Patrol sector. At the termination of Safe Release, in October 2018, Rio Grande Valley (RGV) received the largest number of people. Almost 12,000 people were apprehended that month in that area. The second-largest number of arrivals was also in Texas; the El Paso sector saw apprehensions of more than 5,000 families and children in October 2018. The Yuma sector, by contrast, had fewer apprehensions compared to Texas. In October 2018, some 2,600 families and children were apprehended in Yuma, which fell to 1,200 by August of 2019. San Diego had one of the lowest volumes of families and children apprehended in its sector.

⁷ The Rio Grande Valley Sector alone accounted for 55 percent of apprehensions of family units and unaccompanied minors in fiscal year 2018 and 43 percent in fiscal year 2019. The El Paso Sector accounted for 11 percent in 2018 and 29 percent in 2019.

Figure 7: Across the border, sharp increase in families apprehended since 2018

Family units apprehended in Southwest Border, FY 2018-2019



Note: Customs and Border Protection define ‘family units’ as individuals apprehended with a family member by border patrol. Apprehensions represent events and not individuals. Figures rounded to the nearest hundred.

Source: Customs and Border Patrol.

There was a sharp spike in the number of arrivals at the border over the summer of 2019, followed by a sharp decrease in apprehensions. The sharp drop in apprehensions is due to multiple factors, including a typical decrease in migration flows during the summer, but also an [expansion of the U.S. Migrant Protection Protocols \(MPP\) policy](#) and increased immigration enforcement by Mexico⁸. In June 2019, President Trump warned that the U.S. would impose tariffs on vehicles from Mexico if they did not increase their immigration enforcement actions. Mexico responded by deploying the National Guard along the southern border with Guatemala also stepping up its enforcement. Apprehensions at the U.S. border dropped by 62% from May to August 2019.

The flow of arrivals of families and children along the southwest border parallel the subsequent releases of people into U.S. border cities and towns. Figure 8 shows that since the end of December 2018, more than 200,000 people have been released by ICE into towns or cities, or directly to civil society shelters.

The disparate volume of arrivals at the border resulted in different responses by federal immigration authorities and local civil society organizations.

⁸ See <https://fas.org/sgp/crs/row/IF10215.pdf> for more details on Mexico’s increased immigration enforcement actions.

Figure 8: Family units released by ICE ERO from December 2018 to September 2019, by area of responsibility



Note: Data are for the period of 12/21/2018-09/02/2019. Data were manually reported by ICE. Geographic areas shown above represent ICE ERO 'areas of responsibility'; some areas of responsibility encompass multiple state boundaries. For instance, the "El Paso" area of responsibility covers parts of Texas and New Mexico.
Source: Immigration and Customs Enforcement.

The map shows that Texas received the majority of releases. Some 86,000 people were released over the course of 9 months in the San Antonio ICE area of responsibility, which includes central south Texas. Altogether, releases in the San Antonio area — which includes the Rio Grande Valley — accounted for 38% of all releases across the border.

Due to Catholic Charities' good relationship with Border Patrol in McAllen, Texas, asylum seekers started being dropped off directly at the respite center at the end of 2018. In McAllen, Angry Tías y Abuelas met asylum seekers at the bus station before they travel to other parts of the U.S., many that same day, and provide food, medicine, and information about legal counsel.

The Good Neighbor Settlement House, a homeless shelter, in Brownsville, Texas started its Refugee Respite Program in summer 2018 and received a few dozen individuals per day. The numbers shot up to 400 per day at the beginning of April 2019, when asylum seekers started showing up without all of their documentation, but then decreased in summer 2019. San Antonio became a secondary hub for dozens of families who were released in Texas border cities. At the bus station, Interfaith Welcome Coalition and Catholic Charities provided arriving asylum seekers with food, and RAICES stationed a post release specialist to answer legal inquiries.

As the numbers of families crossing the border continued to climb in spring 2019, ICE began to step up the release of families in an increasing number of cities in the Rio Grande Valley, and Border Patrol began releasing asylum seekers directly from custody for the first time in mid-March. At the end of March 2018, CBP began to drop off families directly from their processing centers to the Harlingen bus station, when there wasn't space for them in McAllen. Asylum seekers stayed at the Loaves and Fish homeless shelter, several blocks from the bus station, and the Queen of Peace Catholic Church, and la Posada Providencia (in nearby San Benito).

In April and May, border organizations began to look to cities such as Albuquerque and Dallas to support the flow into southern Texas. Customs and Border Protection (CBP) also opened up a [tent complex](#) in Donna, Texas with capacity to house 500 people, and looked into other options for processing families, such as [flying them](#) to Florida—a practice which was met with resistance from local politicians and groups. Later in the month, CBP [announced](#) that it was over capacity in the Rio Grande Valley, even with the new facility in Donna, and that it planned to build four additional processing facilities in McAllen and Rio Grande City. That day, CBP [started flying](#) families from the Rio Grande Valley to San Diego, scheduling three planes with 135 asylum seekers per week.

The El Paso sector, which includes El Paso and all of New Mexico, had 75,900 people released from temporary immigration detention. Civil society in El Paso set up the most extensive shelter system for released migrants, building on the relationship it began with US authorities in 2014 when it started releasing migrants with 24 hours' notice. In November and December of 2019, there were cases where ICE didn't notify the shelter before releasing asylum seekers in El Paso. On Christmas Eve, ICE dropped off 200 migrants at a Greyhound bus station without warning, followed by 522 migrants on December 26 and 300 on the 27th.

To prevent families from ending up on the street, Annunciation House coordinated with the city's office of emergency management to set up Temporary Hospitality Centers, expanding its network to 30 shelters, many located in neighboring New Mexico, that have a combined capacity of at least 3,000 beds. ICE and CBP reached out to Annunciation House with the number of asylum seekers they were going to release, which then provides them a list of how many asylum seekers each shelter in the network can house. As of the end of May 2019, Annunciation House received 800 to 1,000 asylum seekers per day, but this number decreased to roughly 200 by July 2019.

In Arizona, where more than 40,000 people have been released by ICE from temporary detention, several shelters were created by community and religious organizations. In Tucson, the Casa Alitas shelter first began rapidly housing migrants released in rented hotel and motel rooms. In January of 2019, the organization was allowed to use an old monastery as an expanded shelter until July of 2019. The monastery housed up to 200 people on average day and in emergencies could it can double its capacity to 400 people. The shelter closed in August, 2019 and Pima County approved a measure to [relocate shelter space](#) to an unused wing of a local juvenile detention center.

In Phoenix, a well-organized network of churches and other NGOs received the bulk of migrants released in the city. Starting in October 2018 when the safe release policy was terminated, ICE

contacted local groups to notify them that releases of migrants would soon begin. The churches received hundreds of migrants each day. A group of some 10 churches helped about 5,000 individuals released from October to December in the Phoenix area. By the end of December of 2018 some churches notified ICE that they were strained beyond capacity and could not take any more asylum seekers released from ICE custody. The city eventually gave permission to local NGOs to open a shelter [in an abandoned school](#) that had capacity up to 300 people. According to news reports, shelter organizers worked with ICE so that buses would directly drop people off after they were released from detention or processing.

The San Diego sector has seen the lowest number of releases; as of early September 2019, about 21,000 family units and children. In October 2018, the San Diego Rapid Response Network – which had formed after the election of President Trump — received reports that asylum seekers were ending up on the street and quickly activated to open a shelter to house released asylum seekers. The shelter started in a church, moved five times, and ended up in an abandoned courthouse with support from local government. From October to June 2019, the SDRRN assisted 17,000 individuals, according to a [report](#) from the U.S. Policy Immigration Center at UC San Diego. These asylum seekers were released from temporary detention facilities in California, Arizona and also Texas. The SDRRN was able to service this high percentage of individuals released due to its strong network of a number of local civil society organizations including Jewish Family Service, American Civil Liberties Union of San Diego & Imperial Counties, SEIU Stronger Together, and the San Diego Organizing Project, as well as cooperation from local and state government officials. This network created a model of integrated humanitarian support including medical services, legal support and shelter.

State and Local Responses to Quick Release

After the end of safe release, the federal government did not offer funding for quick release or come up with a strategy for the transfer of asylum seekers to their sponsors. In the absence of federal support for coordination, local and state governments allocated funding on a temporary basis and varied across the border, depending on local budgets and representatives' interests. While state officials from California, Arizona and New Mexico criticized federal policy and demanded financial support in paying for assistance with travel arrangements, Texas state officials have been largely silent about the changes made by the federal government.

In almost every city that has received releases, the local government provided civil society funding and physical spaces to set up shelters, and in some cases, offered transportation for asylum seekers to bus stations and airports. Several cities, such as Yuma, Arizona and Deming, New Mexico, declared national emergencies and refused to provide resources to support released migrants. This section details the response from state, county and local governments to the federal government's termination of safe release.

California

Figure 9: Cities in California where immigrants were released from ICE custody

From October 2018 to June 2019



Note: Migrants have been released by ICE, CBP, or a combination of both agencies across jurisdictions. Most migrants released since Oct. 2018 are family units or unaccompanied minors, but releases can also include single adults.

Source: Author's elaboration based on news reports and interviews.

The state of California has been at the forefront of combating the Trump administration's numerous immigration policies, and officials on the state, county and local level provided resources to migrant families released in San Diego, San Bernardino, Coachella and Blythe. Governor Gavin Newsom [criticized the federal government](#) for the end of the safe release policy

and stressed the urgency of federal, state and local level governments to work together, while declaring California to be a [state of refuge](#). In the first weeks in office, Newsom signed [AB 72](#), which established a Rapid Response Relief Fund of \$5 million in immigration assistance to aid efforts to combat the end of safe release for the current fiscal year. As of April 2019, the state of California had transferred more than \$500,000 out of the [Rapid Response Reserve Fund](#) to the Catholic Charities of San Bernardino in Riverside County and \$2.2 million to the San Diego Rapid Response Network Shelter in San Diego.

On the local level, San Diego county officials and city leaders stepped up to help mitigate the crisis with bipartisan support. On January 29, 2019, the San Diego County Board of Supervisors voted to lease an unoccupied space in downtown San Diego as a temporary shelter through the end of December 2019. The County of San Diego also staffed the shelter with Health and Human Services Agency to conduct health screenings of new arrivals. In April, the Republican-majority San Diego's County Board of Supervisors [filed a federal lawsuit](#) against the Trump administration in April 2019 for ending the policy of safe release, claiming that the end of the policy has put a significant strain on the county's finances.

As of early April, Riverside County staff traveled to Blythe and [transported about 25 people](#) to the shelter in Coachella every day. According to the chairman of the Riverside County Board of Supervisors, the influx of asylum seekers released in the region forced the county to divert critical county social resources to address the immediate immigration crisis before they were granted \$500,000 from the state.

Arizona

Figure 10: Cities in Arizona where immigrants were released from ICE custody

From October 2018 to June 2019



Note: Migrants have been released by ICE, CBP, or a combination of both agencies across jurisdictions. Most migrants released since Oct. 2018 are family units or unaccompanied minors, but releases can also include single adults.

Source: Author's elaboration based on news reports and interviews.

In Arizona, which shares almost 400 miles of its border with Mexico, thousands of migrants have been released in cities like Tucson, Yuma, and Phoenix. State officials were vocal about their opposition to the change in federal practice. Governor Doug Ducey criticized DHS for its practice of releasing migrants to Greyhound stations and directly into local area churches and shelters. The governor called for assistance for paying for migrant's travel arrangements and stated that a permanent shelter was not necessary, given that people typically only stayed for a day or two before reuniting with family. In late March of 2019, Republican Senator Martha McSally [sent a letter](#) to then-DHS Secretary Nielsen urging DHS to “examine its current efforts to coordinate with NGOs and state and local governments to identify potential areas for improvement.”

On a local level, official response to the release of thousands of migrants in Arizona was more mixed. According to [news reports](#), the county of Tucson opened a shelter because the shelters run by Catholic Community Services and the City of Tucson were at capacity. Other cities have been less supportive. In Phoenix, according to local community leaders, there has been [no government response](#) to the surge of people released, putting the burden of receiving and supporting released asylum seekers on volunteer groups and churches.

The city of Yuma made national news after the mayor [declared a state of emergency](#). Yuma Mayor Nicholls announced that the city of 100,000 people did not have the resources or capacity to accommodate the influx of asylum seekers released. At the time of the announcement the city

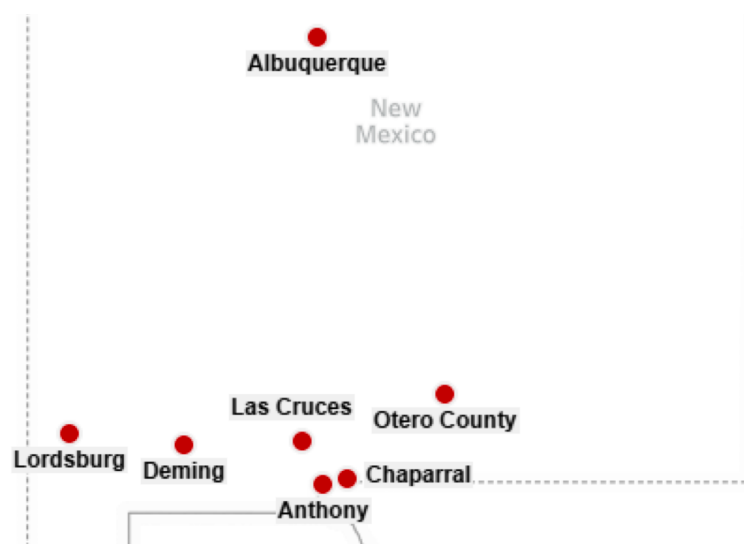
only had one operational shelter—[run by the Salvation Army](#) on the behalf of the city—for arriving migrants. Previously, Catholic Community Services of Arizona aided released asylum seekers by [booking](#) hotel rooms in Yuma.

The mayor [posited](#) that there was “an imminent threat from having too many migrant release into our community, it is above our capacity for our community to sustain.” The city stated that it was looking for a “FEMA-type response” to help manage the influx of migrants. It also requested assistance with transportation logistics. According to Mayor Nicholls, the City of Yuma has not spent any money on aiding migrants, and any assistance provided has been funded by local non-profits and donations.

New Mexico

Figure 11: Cities in New Mexico where immigrants were released from ICE custody

From October 2018 to June 2019



Note: Migrants have been released by ICE, CBP, or a combination of both agencies across jurisdictions. Most migrants released since Oct. 2018 are family units or unaccompanied minors, but releases can also include single adults.

Source: Author’s elaboration based on news reports and interviews.

In response to the releases in seven New Mexican cities, state officials demanded reimbursement from the federal government for the resources it spent on supporting migrant families and filed a lawsuit over the change in policy.

Governor Michelle Lujan Grisham’s office helped coordinate the transfer of asylum seekers by bus from overwhelmed shelters in Las Cruces to Denver. New Mexico’s Senators Tom Udall and Martin Heinrich, and Representatives Ben Ray Luján, Xochitl Torres Small, and Deb Haaland sent a letter to the leaders of the House and Senate Appropriations Committees asking for reimbursement for state and local governments, and nonprofit organizations providing

humanitarian assistance to asylum seekers. In mid-June, the state of New Mexico and the City of Albuquerque sued the Trump administration over its quick release policy in the U.S. District Court for the District of New Mexico.

Some jurisdictions in New Mexico [recently passed resolutions](#) calling on the Trump administration to “close the border” and end the release of thousands of people into their communities. Lincoln County, for instance, adopted a resolution stating that it would not spend any local funds on assisting migrants. Sierra and Otero County passed similar resolutions. Meanwhile, Otero County and the City of Deming declared states of emergency.

At the same time, local and state governments across New Mexico have already spent or have made pledges to spend significant amounts of money in assisting migrants recently released. On May 21, 2019, Governor Lujan Grisham said that the state would reimburse local governments for any assistance they provided migrants. Similarly, the Deming City Council [pledged \\$1 million](#) to help provide shelter for asylum seekers.

Texas

Governor Greg Abbott and other state officials were largely silent on the releases in eight Texas cities and have focused state allocations on the surge in border security along the Texas border. In early April, the Texas Senate adopted a resolution declaring the “crisis at the Texas-Mexico International Border an emergency,” supporting “the President in his efforts to move forward with emergency action,” and requesting that Congress to fund “additional personnel, technology and barriers needed to fully secure the border.”

City and county governments in Texas provided funding and spaces for shelters. The city and county of El Paso funded a [volunteer coordinator position](#) at United Way for Annunciation House, which only had two full-time paid staff members. At the end of April, City Council [passed](#) a motion to allow City Manager Tommy Gonzalez to provide any resources needed to support the asylum seekers. The local government has helped out on occasion when all the shelters in Annunciation House’s network are at capacity. For example, in mid-March, 150 asylum seekers were released without warning, and Annunciation House’s network had no more space. In response, city officials [used](#) a public park as a staging area, while searching for hotel rooms.

The city government of San Antonio has also provided support. One night in late March, CBP released hundreds of asylum seekers to the Greyhound bus station without advance notice. In response, the city of San Antonio [opened](#) a pop-up immigration resource center in an empty storefront across the street from the bus station and Catholic Charities [helped create](#) a shelter at the nearby Travis Park Church. In mid-May, the City Council [approved](#) \$141,000 in emergency funding for Catholic Charities, Travis Park Church, and the San Antonio Food Bank.

Other Texan cities have also supported civil society efforts. The City of McAllen was the applicant on the permit for the new location for the [Catholic Charities shelter](#), and has provided support in the renovation of the new shelter. The City of Harlingen has [provided](#) organizational resources through the Emergency Operations and heightened security downtown where the bus

station is located. It has also helped Loaves and Fish and Catholic Charities secure hygiene items from stores like H-E-B, Walmart, and Sam's Club.

Figure 12: Cities in Texas where immigrants were released from ICE custody

From October 2018 to June 2019



Note: Migrants have been released by ICE, CBP, or a combination of both agencies across jurisdictions. Most migrants released since Oct. 2018 are family units or unaccompanied minors, but releases can also include single adults.

Source: Author's elaboration based on news reports and interviews.

Conclusion

Amidst a surge in family arrivals from Central America in 2018, the Department of Homeland Security (DHS) ended their “safe release” practice of coordinating travel arrangements for asylum seekers or other migrants who are released from detention and need to meet up with their sponsors while they await their court date. Instead, DHS dropped off families seeking asylum directly to bus stations and shelters across the border through “quick release.” This report found that between October 2018 and the summer of 2019, CBP and ICE released over 250,000 migrants in over 20 cities across the four southern border states.

Due to the change in policy, the federal government shifted responsibility to local and state actors within civil society and the government, who mobilized to prevent asylum seekers from ending up on the streets. Civil society expanded previous shelters, opened new ones, and rented hotel rooms. In the absence of federal funding, local and state governments allocated resources on a temporary basis and varied across the border, depending on local budgets and representatives’ interests. This change in policy also added new barriers for asylum seekers in the U.S. asylum process, as it became more difficult to travel to their sponsors residence and receive information about the date and location of their court hearing.

The implementation of Migrant Protection Protocols (MPP) in January 2019 and expansion over the summer of 2019 led U.S. authorities to return an increasing number of asylum seekers back to Mexico instead of releasing them into U.S. border cities. At the end of September 2019, the Department of Homeland Security announced it would soon end all releases of Central American families into the interior of the United States. This would mean that migrant families who do not claim fear of returning to their country of origin in the initial screening will now be immediately returned to their country in collaboration with Central American governments, and those who do claim fear will be returned to Mexico through MPP.

This shift in U.S. policy takes pressure off U.S. state and local governments for providing support to the majority of asylum seekers, although shelters will continue to receive a small flow of non-Central American asylum seekers. Yet it created new challenges for civil society, especially on the Mexican side of the border, where Mexican organizations do not have sufficient resources to receive thousands of returned asylum seekers and support from Mexico’s federal, state, and municipal governments is extremely minimal. Many U.S. civil society organizations have refocused their efforts from providing shelter and arranging travel plans to providing legal support to asylum seekers awaiting U.S. court dates in Mexico.

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