



**New Jersey Consortium  
for Immigrant Children**

## **FOR IMMEDIATE RELEASE**

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The Federal Government's Family Expedited Removal Management Program (FERM)  
Expands to South Jersey, Concerning Advocates

**08-21-2023, Marlton, New Jersey** – The federal government recently announced an expansion of its controversial process for expedited removal for family units. The program, called the Family Expedited Removal Management (FERM), was piloted in four cities across the United States, including Newark, New Jersey in May. This month, FERM is set to expand to other cities nationwide, including Marlton, a township in Burlington County. Marlton's FERM program opened on August 18th.

For the first time, ICE's FERM program moves the rushed and confusing expedited removal process away from the southwest border and into communities across the United States. For families who are enrolled, it replaces the alternative of entering the United States and seeking asylum within the standard timeframe, interfering with their ability to obtain a lawyer and gather evidence before requesting asylum. To qualify for placement in ICE's family expedited removal program, a family unit must contain a parent or parents and child under 18 and be traveling to a FERM designated city. Currently, New Jersey is the only state in the country with two FERM sites - one in Newark and one in Marlton.

The heads of households of families placed in FERM are subjected to GPS ankle monitoring and daily curfews, in addition to expedited removal timeline, with Credible Fear Interviews that assess eligibility for asylum within just 12 days of arrival to the United States. The program's parameters, like other of the post-Title 42 federal policies, deter families with children from pursuing safety in the United States. If a family fails their Credible Fear Interview before USCIS and appeals the decision, they are to appear before an immigration judge within days. Under the program, deportation of families with children from the United States occurs within 30 days of entry.



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“The second expansion of FERM is highly problematic because legal resources for immigrant children and families are even more scarce in South Jersey,” said Priscilla Monico Marín, Executive Director of the New Jersey Consortium for Immigrant Children (NJCIC). “Without real access to lawyers and enough time to prepare their case, families with children will be systematically deprived of their right to seek safety through asylum.”

By immigration advocates, FERM is largely seen as punitive and dehumanizing. Even in areas of the country with a shortage of pro bono legal services, like south Jersey, asylum seekers are given the impossible task of securing an attorney within days of arriving. This timeline severely jeopardizes their ability to present a strong case for asylum.

“In our experience, when asylum seekers receive proper legal and social support, their likelihood of attending court significantly increases,” said Jeff DeCristofaro, Executive Director of the Camden Center for Law and Justice. “The reasoning is quite clear – individuals who benefit from comprehensive legal and social aid are inherently more able to actively navigate their asylum cases.”

“Less than two weeks to secure an immigration attorney for an immediate hearing in New Jersey is impossible and essentially guarantees the parent and child will proceed unrepresented,” said Ms. Marín. “Ultimately, this means families with children being removed and sent back to harm’s way.”

Many advocates are concerned not only with the impact FERM will have on asylum hearings, but with the long-term mental health effects of the families involved as well. Many believe that the fear and uncertainty caused by curfews and ankle monitoring can have a life-long impact on the well-being of children and their parents. “For families fleeing persecution, the initial imposition of ankle monitors and a curfew under FERM could certainly feel like an immediate government judgment against them,” said Mr. DeCristofaro.

### ***About the NJ Consortium for Immigrant Children***

*We work with New Jersey’s young immigrants and their allies to advance their full, fearless participation in our society. We seek lawful status for immigrant children and youth and advocate for systemic change in how they access legal and social services. For more information or to join our efforts, visit our website at <https://njcic.org/>.*