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Op-Ed: Expansion of ICE family removal program in NJ is an outrage

Immigration agency now has two NJ sites to process cases under its expedited family removal program

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New Jersey just became one of only three states in the country to host multiple sites for the Immigration and Customs Enforcement agency’s new expedited family removal program. New Jersey now has one site in north Jersey and one in South Jersey. Given New Jersey’s size, and the expansive coverage of each location, immigrant families with children under 18 across the state may be enrolled in the program, putting them at risk of expedited deportation within just 30 days. Any New Jerseyan concerned about the safety and well-being of children and families should be outraged.

After initiating its first site in Newark, ICE opened a second for its Family Expedited Removal Management (FERM) program in Marlton, a township in Burlington County on Aug. 18. Earlier this year, ICE [announced](#) the rollout of FERM as a way to process families with children for expedited removal from the United States. The agency’s FERM program moves the expedited removal process away from the southern border and into interior states. For families who are enrolled, it replaces the alternative of entering the United States and seeking asylum within the standard time frame, interfering with a family’s ability to obtain a lawyer and gather evidence before requesting asylum.

New Jersey is only about 150 miles or so from north to south, and just 65 miles wide. With each FERM site covering 75 miles from its location, ICE basically has the entire state covered. No other state is as widely covered as New Jersey. This means more New Jersey immigrant families and children will be subjected to the program’s awful parameters, including an expedited removal process, nightly curfews, and surveillance measures — like 24/7 GPS monitoring.

What does FERM entail? Families with children enrolled in FERM are subjected to an expedited removal timeline, with Credible Fear Interviews that assess eligibility for asylum taking place in New Jersey within just six to 12 days of arrival in the United States. For families who fail their interview, a hearing before an immigration judge, if requested, happens within days — at most, a week.

With long waitlists at nonprofit organizations, finding a pro bono immigration attorney in less than two weeks is like winning the lottery in New Jersey, and without representation, families are at much higher risk of losing their case, regardless of how strong their asylum application may be. Data consistently shows that legal representation greatly increases an asylum seeker’s chances of success. FERM pushes families through its program in what feels like an assembly

line toward deportation. It unjustly deprives families and children of their well-established right to seek safety from persecution in the United States.

The heads of households of families placed in FERM are also subjected to GPS ankle monitoring and nightly curfews, which is cumbersome, punitive and dehumanizing. The restrictions mean that families may not seek emergency assistance or medical help overnight when necessary. They also create an environment of fear and uncertainty, which is harmful for children and their development.

FERM fails to fulfill the promises of the administration of President Joe Biden to create systems where immigrants can pursue asylum fairly. With two FERM sites in the Garden State, this means more New Jersey families and children — our fellow neighbors and friends — are at risk. With the violence, danger and desperation that asylum seekers are escaping, our immigration system must provide applicants, in this case families with children, an adequate opportunity to pursue their claims. FERM is harmful for children and families and fails to live up to the basic tenets of due process and fairness.