

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

Date: [REDACTED]

In Reference to: A # [REDACTED]

**INTERIM NOTICE DECLINING PAROLE**

This letter is to inform you that U.S. Immigration and Customs Enforcement (ICE) has decided not to parole you from custody at this time. The decision to authorize parole is discretionary. As part of its parole determination, ICE reviewed immigration records and any supplemental documentation that you provided. After reviewing all available information, ICE has determined that parole is not appropriate in your case at this time based on the following reason(s):

- You have not established your identity to the satisfaction of ICE.
- You have not established to ICE's satisfaction that you are not a flight risk.
- You have not established to ICE's satisfaction that you are not a security risk or a danger to the community.
- You have failed to demonstrate that you are: (1) an alien who has a serious medical condition such that continued detention would not be appropriate; (2) an individual who has been medically certified as pregnant; (3) an alien juvenile; (4) an alien who will be a witness in proceedings being, or to be, conducted by judicial, administrative, or legislative bodies in the United States; or (5) an alien whose continued detention is not in the public interest.

Other: AM IMMIGRATION TO BE ALSO REVIEWED BOND  
DUE TO FLIGHT RISK OF [REDACTED]

Re-Determination

You may request re-determination of this decision in writing, based upon [REDACTED] circumstances in your case. Such changed circumstances or documentation should relate to the reason(s) indicated above why ICE is not paroling you from custody at this time. If there are multiple grounds checked above, you should try to provide further evidence addressing each of them.

If you request re-determination of this decision, please direct your written request to your designated ERO officer. Such a re-determination request should include a copy of this letter and any other ICE written decision declining to authorize parole, and clearly explain what changed circumstances and relevant documents you would like considered.

- ICE previously provided you with a written decision declining to authorize parole, and you have failed to provide additional documentation or to demonstrate any significant changed circumstances which would alter ICE's previous determination.

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**RECORD OF DETERMINATION/PAROLE DETERMINATION WORKSHEET**

Alien's Claimed Name(s) (including AKAs) [REDACTED] "Matter of M.S."  
A#(s) [REDACTED]  
Detention Facility Name and Location [REDACTED]  
Field Office [REDACTED]

This worksheet should be completed pursuant to section 212(d)(5) of the Immigration and Nationality Act (INA) and 8 C.F.R. § 212.5 for each arriving alien in U.S. Immigration and Customs Enforcement (ICE) custody following a determination by a U.S. Citizenship and Immigration Services asylum officer or an immigration judge of the Executive Office for Immigration Review that the alien has a "credible fear" of persecution or torture, within the meaning of INA § 235(b)(1)(B)(v) and 8 C.F.R. § 208.30(e)(2)-(3). Such an alien will have been initially processed under the INA's expedited removal provisions and should have a completed Form I-870 (Record of Determination/Credible Fear Worksheet) in his or her A-file. For those aliens initially denied parole, a letter to that effect must be prepared for the signature by the Office of Detention and Removal Operations (DRO) Field Office Director or, where that authority has been delegated, to the Deputy Field Office Director or Assistant Field Office Director, in whose area of responsibility the alien is detained. The letter should provide a brief explanation of the reasons for denial of parole and notify the alien that he or she may request redetermination of parole based upon changed circumstances or additional evidence relevant to the alien's identity and whether and to what extent the alien poses a danger to the community or a flight risk.

The parole decision includes four determinations. First is an assessment of the alien's identity. Second is whether the alien is likely to appear at all scheduled hearings and enforcement appointments, including for removal upon issuance of a final order of removal. Third is whether the alien presents a security risk to the United States or a danger to the community. Fourth is whether there are any additional factors that may militate in favor of or against release, including, in particular, any exceptional, overriding reasons why an otherwise eligible alien should not be paroled. In completing this worksheet, DRO personnel should consult ICE Policy Directive Number 11002.1, entitled "Parole of Arriving Aliens Found to have a Credible Fear of Persecution or Torture" (effective on January 4, 2010).

This entire worksheet must be completed in every case. Use blank 8" x 11" paper if additional writing space is required. Include copies of all evidence that supports the decision to parole or not parole the alien with this worksheet.

**Part I. Foreign Language**

- Was a parole interview conducted in a language other than English?  Yes  No (If "No," proceed to Part II)
- In what language was the interview conducted: \_\_\_\_\_
- Was an interpreter used?  Yes  No
- Do the interviewing officer, alien, and interpreter (if applicable) understand one another?  Yes  No

Comments: \_\_\_\_\_

**Part II. Determination**

**A. Identity**

- Does the individual have valid, government-issued documentation of identity?  Yes  No
- In the absence of government-issued documentation of identity, are there any third-party affidavits from affiants, who are themselves able to establish their own identity and address, that support the validity of the individual's claimed identity?  Yes  No
- Has the individual otherwise established his or her identity through credible statements such that there are no substantial reasons to doubt the individual's identity as stated by the individual?  Yes  No
- Identify any statements or evidence that relate to the individual's identity and explain why the evidence does or does not satisfy the standard:  
ICE is in possession of a valid picture identification card that confirms  
identity.

**B. Risk of Flight**

- Does the individual have an address where he or she will reside (including, if applicable, residence provided by a community-based service provider)?  Yes  No
- Does the individual have any substantial ties to the community (e.g., relatives, organizations)?  Yes  No
- Are there any substantial reasons to believe the individual will not appear as required for all scheduled hearings and enforcement appointments?  Yes  No
- If substantial reasons exist to consider the individual a flight risk, is there an alternative to detention (ATD) program available?  Yes  No
- If ATD is unavailable, would imposition of a bond ensure the individual's appearance?  Yes  No
- Has the individual established that he or she does not pose a substantial risk of flight (taking into account such conditions or ATD options as may be applied)?  Yes  No
- Please explain your conclusion: Substantial reasons to believe the individual will not appear as required for all scheduled hearings and enforcement appointments.

**C. Danger to the Community**

- Is there any substantial reason to believe that the individual poses an actual danger to the community or U.S. national security?  Yes  No
- Identify any evidence offered that relates to the individual's potential danger to the community or national security (including any mitigating evidence such as proof of rehabilitation) and explain why it does or does not justify continued detention:  
Subject has no criminal history and does not seem to be a danger to the community.

**D. Additional Factors (including any Exceptional, Overriding Factors why Parole Should Not Be Granted)**

- Are there any additional factors relevant to whether the alien should be released?  Yes  No
- Please explain: Subject entered the country illegally and falls under the scope of Matter of M.S. She has not demonstrated any extenuating circumstances for release.

**Part III. Signatures and Approval**

• Initial Preparer's Recommendation

Grant Parole  Deny Parole

[Redacted Signature]

(Name and Title of Preparing Officer)

(Signature of Preparing Officer)

(Date of Recommendation)

- Please explain your recommendation: Subject has stable sponsor, no criminal history and has provided a valid ID from her native country.

• Supervising Official's Assessment

Grant Parole  Deny Parole

[Redacted Signature]

(Name and Title of Supervising Official)

(Signature of Supervising Official)

(Date of Assessment)

- Please explain your assessment: On [Redacted], ICE denied parole, no changed circumstances under Matter of M.S. guidelines. On [Redacted], IJ denied bond citing flight risk.

• Deciding Official's Conclusion

**DFOD**

Grant Parole  Deny Parole

[Redacted Signature]

(Name and Title of Deciding Official)

(Signature of Deciding Official)

(Date of Decision)

- Please explain your conclusion: FLIGHT RISK. NO HUMANKITARIAN FACTORS. (ADVICE LATER LIST (-))