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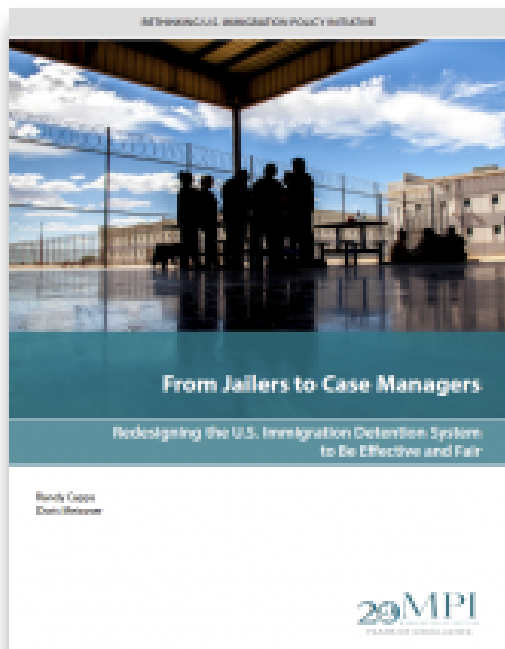
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# From Jailers to Case Managers: Redesigning the U.S. Immigration Detention System to Be Effective and Fair

By [Randy Capps](#) and [Doris Meissner](#)

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The United States operates a sprawling immigration detention system of about 150 facilities that has long been controversial for its prisonlike conditions and health risks—risks that have come into even sharper focus during the COVID-19 pandemic. Yet statutorily, immigration detention is a function of civil, not criminal, law. Its aim is not to punish but to ensure immigrants appear for their immigration appointments and court dates and leave the United States in a timely fashion if they are ordered removed.

After years of growth, policies put in place since the onset of the pandemic in 2020 and the start of the Biden administration in early 2021 greatly reduced the number of immigrants held in detention. With the scale of detention well below its peak in fiscal year 2019, this is an opportune moment to rethink the role and nature of custody in the U.S. immigration enforcement system.

This report explores the limitations of the current approach to immigration custody and proposes a less punitive and less costly alternative that would use release with supervision and case management as the prevailing custody method whenever possible, while still ensuring compliance with the requirements of

immigration and removal processes. The report also examines the fundamental changes to the culture and operations of the Department of Homeland Security and its component immigration agencies that such a shift would entail.

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