

STEP BY STEP GUIDE TO ECPDO & CPDO

(EARLY/CONDITIONAL PAROLE FOR DEPORTATION ONLY)

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1. What is ECPDO & CPDO?

The Board of Parole has the power to release some New York State prisoner into Immigration custody for the sole purposes of being deported.

- ***Early Conditional Parole for Deportation Only (ECPDO)***
ECPDO releases an inmate to Immigration for deportation before s/he has served her minimum sentence, but only after s/he has served at least one half of his or her minimum.
- ***Conditional Parole for Deportation Only (CPDO)***
CPDO releases an inmate to Immigration for deportation after s/he has served his or her minimum sentence.

2. Can I Get ECPDO or CPDO?

- ***You are eligible for ECPDO if you...***
 - a. Have served at least one half of the minimum term of your sentence, AND
 - b. Have a Final Order of Deportation issued against you, AND
 - c. Have used up, or given up, all of your immigration appeals, AND
 - d. Have NOT been convicted of a Violent Felony offense, AND
 - e. Have no other unsettled criminal charges or appeals pending.
- ***You are eligible for CPDO if you...***
 - a. Have served the minimum term of your sentence, AND
 - b. Have a Final Order of Deportation issued against you, AND
 - c. Have used up or given up all of your immigration appeals, AND
 - d. Have no other unsettled criminal charges or appeals pending.

3. Is ECPDO or CPDO a Good Decision For Me?

Getting ECPDO or CPDO has some very large advantages and also some very large disadvantages. Only after thinking about all the advantages and disadvantages can you decide whether it is a good decision for you to try and get ECPDO or CPDO.

- ***Advantages of ECPDO and CPDO***
 - a. Getting ECPDO should allow you to serve less time in New York State custody.
 - b. Getting granted ECPDO or CPDO should mean that you will not have an extended period of incarceration in Immigration custody.
 - c. Some people think that it is easier to get CPDO than regular parole when you have an immigration hold. Therefore, CPDO can also allow you to serve less time in New York State custody.

- ***Disadvantages of ECPDO or CPDO***

- a. Getting granted CPDO or ECPDO means that you will be deported.
- b. For many people, when you are deported **you will never be allowed to return to the United States**. This includes virtually anyone convicted of a drug crime or anyone who was sentenced to a year or more for a theft or violent crime.
- c. Having family members in the U.S. does *not* mean that you will can return.
- d. People you reenter the U.S. illegally after being deported are often caught, prosecuted and sentenced to jail terms of up to 20 years.

If you want to fight your deportation ECPDO and CPDO are NOT for you. Seeking CPDO or ECPDO means giving up any chance to stop your deportation.

4. How Do I Get Granted ECPDO or CPDO?

There are two steps to getting granted ECPDO or CPDO. First, you must get Immigration to issue a Final Order of Deportation. Second, you must get the Parole Board to grant you ECPDO or CPDO.

- ***How Do I Get A Final Deportation Order?***

Usually Final Orders of Deportation are issued by Immigration Judges. People serving felony time in New York State usually have their deportation hearing while serving their New York time. Here is what you can do to get a final order of deportation:

- a. If you are brought before an Immigration Judge you should: (1) admit that you are deportable; (2) state that you “would like to be deported and would NOT like to apply for relief”; and (3) state that you “accept your deportation order as final and waive your right to appeals.”
- b. If an Immigration Officer asks you to sign a paper agreeing to be deported you should sign the paper.
- c. If you have not been offered a paper to sign for your deportation and have not been scheduled for a hearing before an immigration judge you or your friends or family can call the Deportation Office at 845-831-1576 x 300/400 or your Deportation Officer and tell them that you want to be deported and ask them to make that happen quickly. If you do not know your Deportation Officer’s name or number you can call (212) 264-5854 or (212) 264-5854 to find out who your deportation officer is. Be sure to call with your alien number (A#).

CAUTION: Once you get a Final Deportation Order it is likely that you will NEVER be able to return to the United States. Do NOT try to get a Final Deportation Order if you want to fight your deportation. It is a good idea to consult with an immigration attorney before attempting get yourself ordered deported.

- ***How Do I Get the Parole Board to Grant Me ECPDO or CPDO?***

NYS Division of Parole should automatically notify the Parole Board of inmates who are eligible for ECPDO or CPDO, and you should be scheduled for a hearing. If you have a Final Order of Deportation and believe you are eligible for either ECPDO or CPDO and you have not been scheduled for a hearing you can contact you facilities parole officer and you can also call NYS Department of Parole Immigration Liaison at 845-647-1670 x1121 and point out your eligibility and ask for a hearing. Once you are given a hearing it is up to the Parole Board whether or not to grant you ECPDO or CPDO.

5. I Have Been Granted ECPDO or CPDO, Now How Do I Get Immigration to Pick Me Up and Deport Me?

There are two things that must happen before Immigration will pick up people with ECPDO or CPDO from New York State custody and deport them. First, your country must issue travel documents for you, giving the Immigration authorities permission to return you. Second, the immigration authorities must make arrangements to transport you to your country. If you have been granted ECPDO or CPDO and are waiting for immigration to pick you up, you must find out whether step one or step two is holding up your removal. To find out you can call Deportation Officer Ron Claude at 845-647-5628 (make sure you have your A# when you call).

- ***How Do I Get My Country to Issue Travel Documents for Me?***

If you find out that the delay is because your country has not yet issued travel documents you can do two things:

- a. Collect all the documents you have which help show that you are from your home country (i.e. birth certificate, passport, national id card, school records, etc.) and send one copy to you nation's consulate (see Appendix) and send one copy to:

U.S. D.H.S
Ulster Correctional Facility
Attention: Ron Claude
Berme Road
Napanoch, NY 12458

Make sure to include a cover letter with your A#, explaining that you have been granted ECPDO or CPDO, and asking that travel documents be issued.

- b. You or your friends or family can also call your country's consulate and request that travel documents be issued. (see Appendix). It may take several phone calls – be persistent, keep calling.

- ***My Country Has Issued Travel Documents But Immigration Still Won't Pick Me Up, What Can I Do?***

After you are granted ECPDO or CPDO and Immigration receives your travel documents from your home country, Immigration should pick you up and deport you.

Unfortunately, they often take a long time and there is very little you can do about it.

You can call, and have friends and family members call 716-551-4741 x 2500 (make sure you have your A# when you call). Again, it may take several phone calls, be persistent.

6. Once Immigration Picks Me Up, How Long Will I Have to Wait to Be Deported?

If you have been granted ECPDO or CPDO and are taken into Immigration Custody before you finish serving your maximum sentence, you should be deported quickly and should not have to spend a lot of time in Immigration detention. Usually people are deported in days or weeks after Immigration takes them into custody.

Appendix

Contact Numbers for Foreign Consulates (to obtain Travel Documents)

Afghanistan	202-483-6487	Kenya	202-387-6101
Albania	202-628-7342	Liberia	202-723-0437
Argentina	202-238-6400	Mexico	202-728-1600
Bangladesh	202-244-5366	Nicaragua	202-939-6570
Belarus	202-986-1604	Nigeria	202-986-8400
Belgium	202-333-3079	Pakistan	202-939-6205
Belize	202-332-9636	Panama	202-483-1407
Bolivia	202-483-4410	Paraguay	202-483-6960
Brazil	202-238-2700	Peru	202-833-9860
Bulgaria	202-387-7969	Philippines	202-333-6000
Burma	202-332-5577	Russia	202-298-5700
Cambodia	202-726-7742	Singapore	202-537-3100
Chile	202-785-1746	Syria	202-232-6313
China	202-328-2500	Thailand	202-944-3611
Columbia	202-387-8338	Trinidad and Tobago	202-467-6490
Dominican Rep.	202-332-6280 ex. 2504	Turkey	202-612-6700
Ghana	202-686-4520	Ukraine	202-333-0817
Guyana	202-265-6900	United Kingdom	202-588-6500
Haiti	202-332-4090 ex. 112		
India	202-939-7000		
Jamaica	212-935-7504		