



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 & Customs Enforcement (ICE) custody in order to be deported.

- ***Early Conditional Parole for Deportation Only (ECPDO)***
DOCCS releases a person for ECPDO to ICE for deportation before the person serves their minimum sentence, but only after serving at least one half of the minimum.
- ***Conditional Parole for Deportation Only (CPDO)***
DOCCS releases a person for CPDO to ICE for deportation after the person has served their 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 Removal 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.
- ***You are eligible for CPDO if you...***
 - a. Have served the minimum term of your sentence, AND
 - b. Have a Final Order of Removal issued against you, AND
 - c. Have used up or given up all of your immigration appeals.

2. 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. The Board of Parole may be more likely to grant you CPDO instead of regular parole when you have an immigration detainer. Therefore, CPDO may also allow you to serve less time in New York State custody if you cannot get regular parole.

- ***Disadvantages of ECPDO or CPDO***
 - a. Getting granted CPDO or ECPDO means that you will be deported.
 - b. For most people, after being deported **you will never be allowed to return to the United States**. This includes virtually everyone convicted of a controlled substance offense or a conviction classified as an “aggravated felony” under immigration law.
 - c. Having family members in the U.S. does *not* mean that you will be allowed to return.
 - d. Paperwork saying you can apply to reenter after 5, 10, or 20 years is misleading because it does not consider separate bars to reentering based on criminal convictions. You will not be able to automatically return after a certain number of years.
 - e. If you reenter the U.S. illegally after being deported and are caught, you may be prosecuted and sentenced for the federal crime of illegal reentry. Max sentences range from 2 to 20 years, and the average sentence is 18 months per the USSC.

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.

3. How Do I Get Granted ECPDO or CPDO?

There are two steps to getting granted ECPDO or CPDO. First, you must get a Final Order of Removal from the immigration judge. Second, you must get the Parole Board to grant you ECPDO or CPDO.

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

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

- a. If you are brought before an Immigration Judge you should: (1) admit that you are removable; (2) state that you “would like to be deported and would NOT like to apply for relief”; and (3) state that you “accept your removal order as final and waive your right to appeal.”
- b. If an ICE 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 contact your ICE Officer or the ICE office at Buffalo.Outreach@ice.dhs.gov and tell them that you want to be deported and ask them to make that happen quickly. Be sure to include your alien number (A#).

CAUTION: Once you get a Final Removal Order it is likely that you will NEVER be able to return to the United States. Do NOT try to get a Final Removal 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 Removal and believe you are eligible for either ECPDO or CPDO and you have not been scheduled for a hearing you should contact your facility’s Offender Rehabilitation Coordinator. Once you are given a hearing it is up to the Parole Board to grant you ECPDO or CPDO.

4. 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 DOCCS custody and deport them. First, your country must issue travel documents for you, giving ICE permission to return you. Second, ICE must make arrangements to transport you to your country. If you have been granted ECPDO or CPDO and are waiting for ICE to pick you up, you must find out whether step one or step two is holding up your removal. To find out, you or a loved one can e-mail ICE at Buffalo.Outreach@ice.dhs.gov (make sure you include your A# in your e-mail).

- ***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 your ICE Officer. You should contact ICE at Buffalo.Outreach@ice.dhs.gov with questions about where to send documents and explain that the Board of Parole has granted you ECPDO or CPDO.
- 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 ICE receives your travel documents from your home country, ICE 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 e-mail Buffalo.Outreach@ice.dhs.gov or you can try calling your ICE Officer directly.

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 much time in Immigration detention. Usually people are deported in days or weeks after ICE takes them into custody. It depends, in part, on the country of deportation. ICE has regular flights to certain countries but it may take longer if they need to charter a flight.

Appendix

Contact Numbers for Foreign Embassies (to obtain Travel Documents)

(current as of 2011)

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
Colombia	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	(added 2021)	
India	202-939-7000	Ecuador	202-234-7200
Jamaica	212-935-7504	El Salvador	202-595-7500
		Guatemala	202-745-4953
		Honduras	202-525-4001