

National Immigration Law Center

Recent Immigration Updates

Last updated 1/24/25

The Department of Homeland Security expanded its use of a process called “expedited removal.” Undocumented community members are now at greater risk of being put in a rapid deportation process without the right to appear in front of an immigration judge or fight their case. These changes were effective as of Jan. 21, 2025. Individuals should exercise their existing rights and follow steps to protect themselves and their families.

What is expedited removal?

When ICE or CBP arrests a person within the United States (as opposed to at the border), the person usually has the chance to see an immigration judge before they are deported. “Expedited removal” allows the government to quickly deport someone they believe to be undocumented, without ever seeing a judge. *The only exception is if the person says they are afraid to return to their country and passes a fear screening interview, which might allow them to seek asylum.*

What changed?

Previously, ICE and CBP only used expedited removal against people within 100 miles of the border and within 14 days of their arrival. **Now, the government has said it plans to use expedited removal anywhere in the country against any undocumented person who cannot prove they have been in the U.S. continuously for two years before the arrest.** DHS has announced it intends to use this power even against people who entered through a parole program.

What can community members do to prepare?

- Remember your rights to remain silent, not open your door, and not answer questions from ICE or CBP. More [here](#).
- Do not carry foreign identification documents, such as a foreign passport, with you, as these documents may be used against you.
- Carry with you evidence of having been in the U.S. for longer than two years, such as mail that you received at your home address with a postmark, a signed lease, church, or school records with your address, etc. You may want to carry copies with you so as not to risk losing your originals. Share this evidence if / after you have been taken into custody.
- Carry with you evidence of lawful entry or current lawful status in the United States if you have it. If you have a pending asylum application or other immigration court case or appeal, carry evidence of that with you. Share this evidence **if or after** you have been taken into custody. The first step is to remain silent with the exception of asking to speak to a lawyer.
- If you are being taken into immigration custody and you have a fear of returning to your country of origin, state that fear loudly and clearly at every opportunity you have.
- Ask to speak to a lawyer, and do not sign any documents without consulting with a lawyer.

This is a fast-moving situation that will change based upon the Trump administration’s actions. The guidance above is general information but not legal advice tailored to someone’s individual situation. We recommend that community members exercise caution and speak to an immigration lawyer about their individual case.