Summary of Conference Call

U.S. Immigration and Customs Enforcement
Advisory Committee on Family Residential Centers
Subcommittee on Access to Counsel and Language Services
July 12, 2016

The U.S. Immigration and Customs Enforcement (ICE) Advisory Committee on Family Residential Centers (ACFRC), Subcommittee on Access to Counsel and Language Services convened on Tuesday, July 12, 2016 via teleconference at 12:00 P.M. EST. The purpose of the meeting was to discuss the information received from ICE in response to the Committee's requests.

Attendance:

Subcommittee Members Present for Teleconference:

- Jennifer Nagda
- Dora Schriro
- Kurt Schwarz
- Karen Musalo
- Margo Schlanger

Others Present:

- John Amaya, Chief of Staff, ICE; Designated Federal Officer (DFO)
- Maryam Ali, Special Assistant, ICE

Opening Remarks:

Chair Jennifer Nagda began with a quick roll call then provided a recap of the earlier subcommittee chairs call.

She said the general consensus across subcommittee chairs is that some of the information received from ICE was responsive to very specific requests but generally more is needed. She said it would be helpful to know what information was still forthcoming and what information would not be provided. The chairs also agreed on the importance of deciding on a level of specificity for the individual subcommittee reports.

Vice Chair Schriro Dora asked about transition guidance for the Committee and if ICE had started the process of drafting a transition memo. The concern is to ensure that the recommendations that are produced are valuable to the current administrations as well as the next.

Special Assistant Maryam Ali said ICE agreed during the earlier call to communicate a new deadline for submission of subcommittee reports before the end of the day and to provide clarification on forthcoming materials before the end of the week.

General Meeting:

Chair Nagda asked members to comment on the material received thus far and to point out if there were any particularly helpful documents that the rest of the group should focus on.

Margo Schlanger asked for clarification on instances where documents were provided from one facility but not from another. Ms. Ali said that in most cases the document provided was due to a specific request and does not mean that there is not one for the other facilities. She suggested referencing the original request for information submitted by the subcommittee to make it easier to follow the list of supporting materials ICE shared in response.

In regards to material that was of particular interest, Ms. Schlanger believes the bed check policy provided for Berks County Family Residential Center (Berks) is unacceptable.

Vice Chair Schriro noted that the county administrator was reluctant to change the policy without explicit approval from the State and without more reason because it has been effective. Ms. Schlanger added that for the purposes of the recommendation, the specifics are not relevant only that residents need to be able to sleep.

Vice Chair Schriro said the bigger issue she sees is the differences between each state's approach and each facility's approach. She said the conditions should be universal in terms of minimum standards. It is important to understand where ICE stands on this.

Chair Nagda asked if there were other areas where there was a disconnect between state and local standards or a clear absence of a statement from ICE as to the expected policy.

Ms. Schlanger gave the example of x-rays and intake policies in Texas. She said although some had the view that more x-rays upon intake was better others with the expertise noted that more exposure at a young age is not necessarily a good thing. Chair Nagda added understanding who is making the decisions is important and perhaps the recommendation should include that ICE should be the decision maker.

Ms. Schlanger said that state recommendations should not undermine ICE's minimum standards. Vice Chair Schriro added the bigger issue is addressing the lack of consistency between the facilities.

Ms. Schlanger pointed out that there gaps in the materials and there was no data provided. She said it is important to know if this is because the information/document does not exist or it was simply not going to be provided. Ms. Musalo added that there were no responses to the questions under detention and release processes.

Ms. Ali said what was provided was the information that was cleared to share thus far and the rest would be addressed by the end of the week.

Ms. Schlanger said the group received a lot of documents but there is no sense as to whether these are being carried out or not. She said the group should move forward with sending a letter to leadership after waiting to see what was provided on Friday. Chair Nagda agreed and asked if

anyone wanted to modify the draft letter. She said the modified letter would be circulated for everyone's approval before sending.

Ms. Musalo suggested everyone become familiar with the materials provided that falls within their individual focus area between now and the next meeting.

Chair Nagda encouraged members to continue the conversation over email.

Adjournment:

The subcommittee adjourned at approximately 12:40P.M. EST.