

Summary of Conference Call

U.S. Immigration and Customs Enforcement
Advisory Committee on Family Residential Centers
Subcommittee on Access to Counsel and Language Services
September 6, 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, September 6, 2016 via teleconference at 12:00 P.M. EST.

Attendance:

Subcommittee Members Present for Teleconference:

- Jennifer Nagda
- Dora Schriro
- Kurt Schwarz
- Margo Schlanger
- Sonia Parras-Konrad
- Karen Musalo

Others Present:

- Elizabeth Cedillo-Pereira, Senior Advisor, ICE; Alternate Designated Federal Officer (ADFO), ACFRC
- Maryam Ali, Special Assistant, ICE

Opening Remarks:

Subcommittee Chair Jennifer Nagda took roll call and provided an update from the subcommittee chairs call.

Special Assistant Maryam Ali provided an update on finalizing a date for the upcoming full Committee meeting. In regards to fact checking, she added that ICE would review any statistics and numbers brought to its attention. All fact checking and back and forth should be complete before the draft is submitted to ACFRC Chair Kurt Schwarz.

Subcommittee Vice Chair Dora Schriro identified a chart for Ms. Ali to submit for review and Margo Schlanger asked for an update on receiving the disciplinary policy. Ms. Ali noted both.

General Meeting:

Chair Nagda provided a status update in terms of procedure and substance across the subcommittees. She added that access to counsel and language access were near complete for input from other members but that it would be better to address the detention management section next week when everyone has a better idea of the overlap.

Chair Nagda noted that she made some substantive changes in the access to counsel section and asked members to pay closer attention to that. Given the way the meeting in October will be used, she said now is the time to raise objections to any recommendations.

Karen Musalo said it was important to make sure section is clear within the overall product to reflect the three different focus areas. Ms. Musalo also raised the issue of pulling all the pieces together and checking for format such as pagination and the order of footnotes. Ms. Schlanger volunteered to take care of this.

Chair Nagda encouraged everyone to identify any section that seemed inconsistent with the overall approach and any areas of overlapping or conflicting recommendations. She said the subcommittee chairs would keep an eye on this and try to keep a master list of issues. The subcommittee chairs are anxious to find a way to communicate across subcommittees other than email to discuss issues like the ombudsman example.

Chari Nagda then asked Ms. Schlanger to review any issues received in feedback of her section. Ms. Schlanger highlighted:

- Translation v. adaptation and which provides equal access given the varying degrees of literacy
- Literacy assessment
- Noting that the recommendations throughout the report are not unique to family detention but may apply to detention more broadly.
- The difference between applicability of credible fear interviews and reasonable fear interviews and regulations in place for officers to arrange for a translator to conduct the interview.
- Avoiding the word “alien” and reaching consensus on terminology within this subcommittee but also across the full Committee.

Ms. Schlanger noted there was some confusion in version control and asked everyone to pay attention to which redline version was being used.

On the access to counsel section, Chair Nagda said she needs to spend more time adding a description of the issues that led to the recommendations but otherwise had a fairly complete draft.

With nothing further to discuss, Chair Nagda said she would try to create and circulate a document identifying substantive issues that merit cross-Committee discussion.

Adjournment:

The subcommittee adjourned at approximately 1:00 P.M. EST.