

## Summary of Conference Call

U.S. Immigration and Customs Enforcement  
Advisory Committee on Family Residential Centers  
Subcommittee on Education  
June 21, 2016

The U.S. Immigration and Customs Enforcement (ICE) Advisory Committee on Family Residential Centers (ACFRC), Subcommittee on Education convened for its weekly meeting on Tuesday, June 21, 2016, via teleconference from 12:00 P.M. to approximately 12:30 P.M. The purpose of the meeting was for members to continue talking through recommendations.

### **Attendance:**

#### *Subcommittee Members Present for the Teleconference:*

- BethAnn Berliner
- Michelle Brané

\*Vice Chair Anadora Moss did not join the call.

#### *Others Present:*

- John Amaya, Deputy Chief of Staff, ICE; Designated Federal Officer (DFO), ACFRC
- Andrea Washington, Special Assistant, ICE

### **Opening Remarks:**

Chair BethAnn Berliner did a quick around the horn, noting that she and Michelle Brané were on the line and recognizing the ICE staff on the teleconference.

### **General Meeting:**

Chair Berliner started the meeting with a readout of the subcommittee Chairs call. She said Chairs were informed that the additional materials from ICE are going through final review and members should receive answers soon. She added that responses will be in a Q&A format with reference materials attached and that members should anticipate receiving a lot of information since all materials will be released to everyone at the same time.

On the issue of progress on recommendations, Chair Berliner said the other subcommittees are really digging in to their recommendations, and she felt the education group had stalled some in the last few weeks. She stated that she knows members have been getting ideas together and gathering information, but those thoughts have not made it to the subcommittee's matrix. She said the group's idea about having an in-person meeting to hash out thoughts and fine-tune recommendations might not be possible at this stage, so members really need to step up and get things into writing.

Ms. Brané said she has been writing out bulleted recommendations, though the language is still a little rough in parts and some recommendations need to be more fully formed. Chair Berliner said she was fine with seeing that kind of text in the matrix because it at least gives the group

something to talk through and wordsmith as a team. Ms. Brané said she would start adding her bullets to the matrix and try to have this completed by next week.

With a group of Committee members and ICE staff participating in the visit to the Berks Family Residential Center (Berks) during the scheduled time of the next meeting, Chair Berliner said the next call would likely be canceled. She stated that though this means there will be a short hiatus between when the group would talk again, that did not mean they could not continue to move forward and share ideas over email. She said the sooner she receives updated information for the matrix, the easier it would be for her to work through any language that needs to be cleaned up. She also said that with the additional information coming from ICE, the break presents a good opportunity to sift through whatever information is provided by the agency and see how it does or does not impact the subcommittee's recommendations.

Chair Berliner, touching on the conversation the Chairs had about oversight, said Subcommittee on Medical and Mental Health Chair Leslye Orloff has been doing a lot of research on how an ombudsman could be put in place and on broader issues surrounding contractor oversight and internal and external oversight for ICE. She said Chair Orloff mentioned that a contractor, the Nakamoto Group, conducts reviews of ICE detention facilities.

Ms. Brané said she had some ideas about oversight in the bullet points she has been putting together. Chair Berliner said the subject of creating a framework for accountability, oversight, and redress—internally and externally—could be one of those items that does not fit squarely into one subcommittee's bucket. Ms. Brané said she was sure Vice Chair Anadora Moss would have some thoughts to add, particularly with respect to Prison Rape Elimination Act compliance. Chair Berliner stated that she viewed the issue as a both/and because there should be oversight of individual program contractors, but there is also the bigger umbrella of family residential center (FRC) oversight as a whole. She added that along with the work Chair Orloff has been doing, Subcommittee on Access to Counsel and Language Services Vice Chair Dora Schriro has done some of this work in the past. The Chair suggested that Ms. Brané reach out to Chair Orloff and Vice Chair Schriro, as well as Subcommittee on Access to Counsel and Language Services Chair Jennifer Nagda, to share her thoughts.

Ms. Brané, commenting on the Nakamoto Group, said the oversight review completed by the contractor is just a checklist of the standards. She stated that oversight needs to be deeper and more substantive, keeping in mind that there are special factors—child welfare and the best interest of children, for example—to consider when it comes to the FRCs.

Chair Berliner then brought up a petition that came across her email regarding a young child that has been in detention at Berks for months. She said the petition reminded her that while the subcommittee's lens for educational programming is generally for a relatively short length of stay, it is a totally different issue to come up with education programming for a child in detention for months. Ms. Brané agreed and said the group should prepare for some sort of folding in of recommendations for longer stays not just because it has already happened, but also because she believes there is potential for the length of stay to increase in the future.

Ms. Brané continued that in her experience at the former Berks facility, the education program was a bright spot. She said two children who had been at the FRC for two years when she met them there were able to do well in the public school they attended after being released. She said they both learned English at the facility and were brought up to grade level.

Chair Berliner suggested that the subcommittee might want to be more intentional in the recommendations made, perhaps suggesting timelines in the education program to account for longer stays. Ms. Brané said it was very unlikely that ICE knows how long a family is going to be detained before it actually turns out that way. The Chair said she understood that, but there should be something in place for long-term detention. Ms. Brané wondered how the group could state this, and Chair Berliner said it could simply be a matter of outlining curriculum based on weeks or recommending that the focus should be on more content and readiness skills for children who end up staying at the facility for a longer amount of time.

Wrapping up the meeting, Chair Berliner asked ICE staff to confirm if the meeting scheduled for the following week would be canceled due to the Berks visit. Special Assistant Andrea Washington confirmed that the meeting would be canceled.

Ms. Washington then noted that subcommittee members should expect to see three separate responses for their questions on education, one for each of the FRCs. She said this would be helpful in identifying the specifics at each facility. Both Chair Berliner and Ms. Brané said they were happy with the breakdown.

Chair Berliner and Ms. Brané then had a short conversation about how to move forward with filling in the matrix. It was decided that each of the subcommittee members would contribute what they can on each subject in the document.

**Adjournment:**

The subcommittee adjourned at approximately 12:30 P.M.