

Summary of Conference Call

U.S. Immigration and Customs Enforcement
Advisory Committee on Family Residential Centers
Subcommittee on Medical and Mental Health
June 7, 2016

The U.S. Immigration and Customs Enforcement (ICE) Advisory Committee on Family Residential Centers (ACFRC), Subcommittee on Medical and Mental Health convened for its weekly meeting on Tuesday, June 7, 2016, via teleconference from 1:30 P.M. to approximately 2:00 P.M. The purposes of the meeting were to get the subcommittee Chair caught up on the group's progress and to discuss recommendations and the upcoming visit to the Berks Family Residential Center.

Attendance:

Subcommittee Members Present for the Teleconference:

- Leslye Orloff
- Judith Dolins
- Dr. William Arroyo

*Dr. Andres J. Pumariega was unable to join the call due to a work emergency.

Others Present:

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

Opening Remarks:

Chair Leslye Orloff recognized subcommittee members as they joined the conference call, and she acknowledged the ICE staff as well.

Subcommittee member Dr. William Arroyo informed everyone that he could only participate in the call until 2:00 P.M. because of another meeting on his schedule.

General Meeting:

Chair Orloff, back from international travel, started the meeting by asking Vice Chair Judith Dolins to provide a short summary on where things currently stand with the subcommittee.

Vice Chair Dolins said members are in the processing of writing their recommendations, noting that Dr. Arroyo was the first to complete his recommendations and set the tone for the rest of the subcommittee. She stated that while talking through Dr. Arroyo's recommendations last week, the group discussed how to standardize formatting. There was also a discussion about who would be responsible for editing the subcommittee's final product; members believe editing should be handled by the Chair and Vice Chair.

Chair Orloff said that she would be happy to take on editing responsibilities. The Chair stated that she and the Vice Chair could wrestle with piecing all of the recommendations together into a final document, and some of her staffers could assist with reviewing the document for grammar and spelling.

Commenting on information gaps, the Vice Chair said subcommittee members continue to voice concerns about missing information they believe is necessary to make substantive recommendations. She stated that for her recommendations, she has opted to insert place holders that note more documentation (or the standard) needs to be provided and reviewed.

Vice Chair Dolins said members also recognize that where there are standards, they still do not have a great way to assess that those standards are being followed. She added that she did not believe the group would ever obtain the level of information needed that would confirm standard adherence. She said the full Committee was able to tour and observe the family residential centers (FRCs) in Texas, but realistically, this likely happened on a day when everything was done really well and according to standards, so it is hard to assess. Further, she stated, the stories that reach the media probably highlight the most egregious problems.

Wrapping up her summary, Vice Chair Dolins said the subcommittee did talk about the trip to the Berks Family Residential Center (Berks), and both Dr. Arroyo and Dr. Pumariega expressed interest in visiting the facility. She said she would leave it to Chair Orloff to make the decision on who would represent the group.

Chair Orloff said the trip to Berks was something she wanted to discuss more. She informed the group that there is a possibility that she could participate in a separate tour of the FRC with the American Psychological Association (APA). She said one way to handle the situation would be for her to visit the facility with the APA and someone else could take her place on the Committee tour. This would allow for two members of the subcommittee to see the residential center. She asked if that made sense to everyone.

ACFRC DFO John Amaya responded by outlining some of the background that led to the decision about the structure of the Berks tour. He stated that the original discussion about getting everyone to the FRC was that it would likely take place in conjunction with a full Committee meeting with ICE Director Sarah R. Saldaña in Washington, D.C., which meant the visit would happen after the draft recommendations were completed. However, he said, there was a strong sentiment from a contingency of members on the Committee that they wanted to visit the FRC before the draft recommendations were made. Due to limitations and the need to be financially efficient, it was decided that subcommittee Chairs would be responsible for identifying one person who would represent their group. DFO Amaya said he worried about one-off visits to Berks because it could cause a flood of individual visit requests and/or hurt feelings for those who cannot make it for a tour. Ultimately though, the DFO said he did not have a problem with Chair Orloff participating in a separate tour of the residential center with the APA.

Addressing the subcommittee members, Chair Orloff said she could bank on going with the APA, assuming the tour request is permitted, and another member of the subcommittee could

join in the Committee tour. She acknowledged this meant that she is taking a risk of not seeing the facility because the APA visit has not been approved yet, but she is willing to take that risk. She asked the group who they thought was the best person to go, noting that she believed there was an advantage to having Dr. Arroyo or Dr. Pumariega go on behalf of the subcommittee.

Vice Chair Dolins agreed that it should be one of the doctors on the subcommittee, particularly given the number of times the group has discussed issues and questions that really need a clinician's perspective.

Dr. Arroyo concurred with that assessment, but said he wanted to raise a broader concern. He stated he was worried that with only a small portion of the Committee viewing the facility, less useful information would be garnered to infuse the recommendations. For example, he said, there were many questions asked when the entire Committee toured the Texas FRCs and with just a fraction of the Committee going to Berks, less fruitful information would be gathered because there would be fewer questions posed.

Chair Orloff asked DFO Amaya if Dr. Arroyo's concern was part of ICE's deliberation process when it was decided that the tour would be limited to one person from each subcommittee.

DFO Amaya said yes, remarking that this reason was why he had hoped to bring everyone together, even though the tour would have taken place after the draft recommendations were submitted. He said the idea was that if anything new was learned on the tour, subcommittee members would still have about a 60-day window to work on their recommendations before finalizing them. However, he reiterated, some Committee members felt strongly that the Berks visit needed to happen in short order. DFO Amaya said since their feelings were so strong, he agreed to scheduling the tour sooner, but with the caveat that only a small group—the Chair of each subcommittee or their designee and Committee Chair Kurt Schwarz or his designee—would be able to attend.

Circling back to Dr. Arroyo's comments about fewer questions being raised, Vice Chair Dolins said that since everyone has been to the Texas FRCs, they have a general sense for what some of the issues are and an idea of what Berks is going to be like. She said whoever represents the subcommittee on the tour should be equipped with questions from everyone on the subcommittee to ensure all questions from the different perspectives are addressed.

In discussing which of the doctors on the subcommittee should go on the tour, Vice Chair Dolins noted that Dr. Arroyo was available on both June 27 and June 28, while Dr. Pumariega was only available on June 27. Chair Orloff said given Dr. Arroyo's flexibility, she was inclined to make him the designee. Dr. Arroyo said that worked for him. Chair Orloff said she would move forward with planning on going on the separate tour with the APA.

Dr. Arroyo then asked if information gleaned by Chair Orloff during the APA tour of Berks could be used to inform the subcommittee's recommendations.

Special Assistant Maryam Ali answered that there was nothing wrong with Chair Orloff using information gained from the tour, which she would be attending in her professional capacity, as

long as she did not ask questions specific to the Committee's tasking. The Chair said that made sense to her, but added that she would reach out to the ICE team before going on the tour just to be really clear.

Chair Orloff then shifted the conversation to next steps and how to move forward with reviewing members' recommendations. The Chair suggested that over the next few weeks, the subcommittee could use the weekly call to review an individual member's recommendations and provide feedback. Vice Chair Dolins agreed with that schedule, noting that there should also be some discussion of what recommendations could be grouped together or applied to more than one topic. Chair Orloff asked the Vice Chair if she thought her recommendations would be ready for review next week, even if they are not fully polished. The Vice Chair said she thought so, adding that Dr. Pumariega will have some of his recommendations ready as well. Vice Chair Dolins also reminded the group that Dr. Pumariega has stated that his preference for reviewing and providing feedback on the recommendations was to do so through track changes and via email. Chair Orloff said that was fine, but the telephone check-ins would still be helpful for discussing some of the recommendations that are easier to hash out in a conversation.

Vice Chair Dolins said there might be some differences in terms of how members reference items in their recommendations, and the subcommittee will need to think through and agree on how much detail they want to put into their recommendations. Chair Orloff asked ICE staff if there was a preference between legal citing and social science citing. Special Assistant Andrea Washington answered that ICE did not have a particular preference on citing and that it was up to the subcommittee to decide what worked best for their group. She added that members might want to keep in mind how the other subcommittees are citing for consistency purposes. Chair Orloff said she was sure the Subcommittee on Access to Counsel and Language Services would be using legal citing. Vice Chair Dolins suggested that subcommittee members could cite the way they normally would, and Chair Orloff (or her staff) could then convert the citations to legal citations. The Chair said that process was fine with her, stating that it would be easier.

Vice Chair Dolins then announced that she also had to leave the call for another meeting. Chair Orloff said she thought the conference call was almost done, and she gave a quick rundown on the recommendation review schedule for the next few weeks. With no other issues to address and subcommittee members needing to depart for other obligations, the Chair adjourned the meeting.

Adjournment:

The subcommittee adjourned at approximately 2:00 P.M.