

## Summary of Conference Call

U.S. Immigration and Customs Enforcement  
Advisory Committee on Family Residential Centers  
Subcommittee on Access to Counsel and Language Services  
April 26, 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 for its second meeting on Tuesday, April 26, 2016 via teleconference from 12:00 P.M. to 12:45 P.M. EST. The purpose of the meeting was to jump start the process of identifying the issues around which the subcommittee will ultimately provide recommendations.

### **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:**

Chair Jennifer Nagda began with a quick roll call. She then proposed that the group use this meeting to brainstorm about all of the issues related to access to counsel, language access, and detention management where recommendations could be made to guide ICE while simultaneously seeking information/evidence to make informed recommendations by the end of June.

Chair Nagda said she would like to move forward with formulating recommendations by listing issues around which the subcommittee could begin make recommendations without losing sight of tracking responses from ICE to outstanding questions.

She circulated a chart before the meeting in an effort to track all this information. She proposed discussing which of the subcommittee's outstanding questions need answers based on the issues identified. She urged members to be expansive and broad in their thinking.

Chair Nagda suggested that the focus for this meeting is to come to a consensus of topics that would be appropriate to address. Over the next two weeks the subcommittee could then narrow down what information they have to make effective recommendations.

### **General Meeting:**

Karen Musalo asked what the group thought of including criteria for detention and release as a priority under detention management. Margo Schlanger suggested adding criteria for detention and release as a fourth category in addition to the existing three buckets:

1. Access to Counsel , Legal Services
2. Language Access
3. Detention Management
4. *Criteria for Detention and Release*

Suggestions of topics to address in the overall recommendations included:

- Food sanitation
- Protection from harm (e.g. various types of assault)
- Sexual abuse prevention
- Criteria for release
- Alternatives to detention
- Ankle monitors
- Management of private bond agencies
- Access to counsel within the area of criteria for detention and release
- Child care
- Telephone access
- General professionalism
- Content and delivery of information
- Reading level of written material
- Accommodations for residents with disabilities, speech impediments
- Legal materials being provided

Ms. Musalo said more information would be needed before taking a closer look. Chair Nagda noted that having copies of the procedures and policies from the FRCs would be helpful.

Vice Chair Schriro suggested going point by point down the Family Residential Standards (FRS) to organize all of the issues being raised. If an issue raised is not already addressed in the FRS then that could become a recommendation in and of itself.

Moving on the language access, Ms. Schlanger asked for a status update on the Language Access Plan (LAP). She added that the recommendations for written and oral access are likely to be very different and it may be helpful to separate the assessment of language access into the following categories:

- Spanish language, written

- Spanish language, oral
- Other languages, oral
- Difficult conversations in Spanish or other languages

Chair Nagda said any thoughts about articulating the best way to organize the following access to information issues would be helpful:

- Information about the facility
- ICE policies or contractor policy which directly bare on ability to access legal services
- Know your rights information
- The legal processes happening within the facility

Knowing what information residents already have will help the subcommittee make recommendations that are not overwhelming to them or to ICE.

Members volunteered to tackle specific issues and focus on identifying unanswered questions related to each. This would allow the subcommittee to make one final request to ICE for specific information that links directly to an issue the group believes is important to make a recommendation on. A concrete list of final requests/questions would then be sent to ICE.

1. Access to Counsel, Legal Services
  - Jennifer Nagda
2. Language Access
  - Margo Schlanger
3. Detention Management:
  - Dora Schriro, Margo Schlanger
4. Criteria for Detention and Release
  - Karen Musalo

ADFO Cedillo-Pereira agreed with Chair Nagda that the plan was for everyone to provide feedback. Thereafter if there are still gaps, ICE would respond to the refined requests.

Ms. Schlanger added that it might be helpful to collect NGO reports complaining about various aspects of family detention to make sure there are no issues the subcommittee overlooks and to draw insight from identifying which NGO complaints the subcommittee agrees with or disagrees with.

Ms. Schriro observed that the group transitioned from focusing on what is missing to the issues that are of concern based on what was seen, read, or otherwise experienced. In regards to formatting the final requests/questions to ICE on missing information, she noted that a narrative may make it difficult to find the salient point and suggested an easy-to-read chart focusing on the issue and possible recommendation.

Members agreed to submit their individual work to Chair Nagda by Friday, May 6.

**Adjournment:**

The subcommittee adjourned at approximately 12:45 P.M. EST.