DEFENDANTS' EXHIBIT 22

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

JENNY LISETTE FLORES; *et al.*,	)	Case No. CV 85-4544-DMG
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
ERIC H. HOLDER, JR., Attorney General of the United States; *et al.*,	)	
	)	
Defendants.	)	
	)	
	)	

DECLARATION OF JON GURULE

I, Jon Gurule, state as follows:

1. Since July 26, 2015, I have been employed by U.S. Immigration and Customs Enforcement (ICE) as the Assistant Director for Field Operations, Enforcement and Removal Operations (ERO), in Washington, D.C. As Assistant Director, I direct and oversee the nationwide day-to-day immigration enforcement and removal operations of 24 ERO Field Office Directors and 5,800 immigration enforcement officers.

2. I began my career with the U.S. Immigration and Naturalization Service (INS) (ICE's predecessor) in 1988, in Phoenix, Arizona. From 1992 to 2003, I served as an Immigration Inspector and Deportation Officer for INS/ICE in Las Vegas, Nevada, and as a Supervisory Detention and Deportation Officer in Phoenix, Arizona, from 2003 until 2008. In November of 2008, I was promoted to Deputy Field Office Director and managed all ICE enforcement and removal operations, including Fugitive Operations, Immigration and Nationality Act section 287(g) agreements with state and local law enforcement agencies,

and Secure Communities. In February of 2014, I was promoted to Field Office Director. As Field Office Director, I directed ICE's immigration and enforcement operations for the entire state of Arizona, through the management of the Phoenix Field Office (consisting of a staff of 400 employees and 800 contractors), which included a main office in Phoenix, two sub-offices in Tucson and Yuma, and two detention facilities in Florence and Eloy. The detention sites maintained over 3,000 detention beds and held detainees for 72 hours or longer.

3. I have a Bachelor of Science degree in Justice Administration from Arizona State University.

4. The statements contained in this declaration are based upon my personal knowledge or upon information provided to me in my official capacity.

ICE's Family Residential Centers

5. ICE currently operates three Family Residential Centers (FRC): the Karnes County Residential Center (KCRC); the South Texas Family Residential Center (STFRC); and the Berks Family Residential Center (BFRC). Since 2015, ICE has implemented several improvements at its FRCs including increased staff, additional residential resources, improved legal access, and other benefits as detailed below.

6. ERO, including its Juvenile and Family Residential Management Unit (JFRMU), has retained additional permanent staff on-site at each FRC, including compliance specialists to provide ongoing training and technical assistance to FRC staff and improve center policies and procedures as follows:

   a. In May 2015, ICE contracted with Danya International to provide compliance monitoring and oversight at all FRC. Pursuant to the contract and JFRMU's

Compliance Inspection Program, a team of dedicated inspectors conduct unannounced, monthly inspections of each FRC. The inspections include a detailed review of areas of compliance and noncompliance with ICE's Family Residential Standards (FRS), *see* *https://www.ice.gov/detention-standards/family-residential*, general observations, and recommendations to achieve compliance. ICE contracted with Danya International because it has extensive experience in family/child-centered programming, educational services, Head Start compliance, at-risk populations, and conditions of confinement in detention and residential settings. In addition to its compliance work, Danya International also provides FRC staff with ongoing technical assistance and training in areas intended to improve center operations and programming. From August 2015, when it conducted its first monthly inspection, to present, Danya has generally found the FRCs to be compliant with a majority of the physical plant, procedures/processes and quality control standards in the FRCs. Where Danya observed individual issues of non-compliance, the facilities took corrective action as appropriate and achieved compliance although this is a continuous process. These inspections are ongoing, and Danya continually provides feedback on how to improve and resolve noncompliance issue at the facilities as they arise. Danya has also noted the dedication and professionalism of FRC staff and at Dilley, a positive environment. For example, on November 10, 2015, Danya reported that staff at Berks "was welcoming and professional and committed to the facility's mission." On September 10, 2015, a report on Karnes noted that "[t]he staff was welcoming and professional and committed to the facility's mission of protecting women and their children." On January 27, 2016, Danya's report on Dilley stated that

"residents appeared to be in good spirits." In addition to assessing FRC compliance with the FRS, beginning in the spring of 2016, Danya also began interviewing a small sample of residents to obtain resident feedback to ensure that staff and management are aware of resident concerns. (Attached hereto as Exhibits ("Exhs") 1, 2 & 3 are true and correct copies of Danya International Reports of Compliance Inspections of BFRC, dated Nov. 10, 2015, KCRC, dated Sept. 10, 2015 and STFRC, dated Jan. 27, 2016).

b. ICE hired permanent, full-time Compliance Standard Officers (CSOs) for STFRC on March 8, 2015, and July 6, 2015, and for KCRC on March 20, 2016. CSOs serve as a liaison for the agency, evaluating and ensuring that FRCs operate according to ICE requirements (i.e., FRS, familiarization with state agency laws concerning residential programs including the Texas Department of Family and Protective Services Minimum Standards for General Residential Operations (GRO), etc.), expectations, and the terms of facility contract and statement of work. They oversee government and contracted services and conduct on-site reviews to document compliance, assess performance, and identify improvement needs. CSOs implement agency policies and procedures and coordinate with the ERO Field Office and ERO Headquarters to identify resources required for the safe, secure, and humane operation of residential facilities, including staffing, funding, equipment, facilities and delivery of performance schedules. CSOs are experts on the evaluation of programs and the efficiency of management. Their presence at the FRC has resulted in the implementation of complex management programs such as the facility classification system, the development and amendment of practices regarding housing

classifications for female heads of households and children, and evaluation of executive orders, agency directives, and other agency decisions including the ICE Language Access Plan (LAP), issued on June 14, 2015, in support of Executive Order 13166.

c. In order to ensure institutional knowledge, continuity, and a sufficient ICE presence, ICE has increased its permanent staffing levels at the FRCs, in addition to the facility contract staff, although it continues to rely on detailees to supplement staffing as necessary. ICE staffing levels at STFRC increased from 16 permanent employees in June 2015 to 41 permanent employees in May 2016. ICE had 22 permanent employees at the KCRC in August 2015. There are currently 49 permanent ICE employees assigned to KCRC. ICE staffing levels at BFRC have also increased since the August 21, 2015 order through the hiring of two additional shelter care counselors.

7. In addition to increasing staff, ICE recently obtained licensure from the State of Texas for KCRC, objectively demonstrating the facility's high quality of care for its residents. Specifically, a provisional license, which is valid for six months, was granted to KCRC by the Texas Department of Family and Protective Services (DFPS) on April 29, 2016. The license application process included a great deal of scrutiny of the facility, and required changes to facility operations, as detailed below:

a. On April 5 and 6, 2016, Texas DFPS conducted an initial inspection of the facility and performed a standard-by-standard review of the facilities' policies, identifying 12 issues for corrective action.

b. On April 28, 2016, an unannounced inspection conducted by the Texas DFPS found that ten of the previously identified issues were resolved and only two remained. A second unannounced inspection on May 2, 2016, found that all deficiencies had been rectified.

c. In addition to the physical inspections of KCRC, all ICE ERO staff have completed and passed required background check and tuberculosis testing.

d. In addition, KCRC updated several policies to align with required DFPS GRO standards relating to the following: (1) exit and entry standards including the need to question visitors about contraband and the requirement of storing firearms for visitors from outside agencies; (2) admission and release standards, including not admitting pregnant women and releasing children with their parent; (3) amending physical control and restraint measures; (4) incident reporting guidelines (to include use of state forms); and (5) revising residential inspection standards to include reason for inspection.

e. Physical modifications have also been made to KCRC in order to comply with licensing standards, including reducing the maximum number of individuals housed in a residential suite from eight to five.

f. During the week of May 2, 2016, the locking mechanisms on various doors were disabled adjacent to the residential park, allowing access to intake/out-take, medical, visitation, courts, and the main corridor leading to administration. Further, the front lobby and administration corridor were redesigned and painted adding softer colors and child-friendly activities.

8. In addition to the security changes at KCRC, at BCRC, barring temporary restrictions due to medical or security reasons, residents can freely move within the center, to include outdoor areas. The doors to the outdoor area are not locked, and there are no impediments to residents exiting.

9. In October 2015, ICE ERO issued standard operating procedures, applicable to all FRCs, entitled *Legal Access and Legal Visitation Standard Operating Procedures for ICE Family Residential Centers* (Oct. 30, 2015), to improve legal access and apply consistent standards across the FRCs. (Attached hereto as Exh. 4 is a true and correct copy of the SOP). Since 2015, residents at all FRCs have benefited from expanded services and improvements, including at least 12 hours of visitation, seven days a week; private attorney work space and meeting rooms, exterior phone call capability in the attorney visitation area, permissible use of laptops and tablets, as well as other Wi-Fi devices (excluding cellphones/smartphones), in the attorney visitation area, monitored child care during meetings with legal counsel; and other resources and services as specified below.

   a. At KCRC, legal visitation hours are from 8:00 a.m. until 8:00 p.m., seven days per week. There are five private interview rooms available for attorney/client visits and an additional nine tables are available in the visitation area. Each private room has a phone available at no cost for local calls and toll-free calls. At KCRC, licensed child care is available; it was licensed by TXDFPS Child-Care Licensing Division, as a Temporary Shelter Program on August 4, 2015. Moreover, staff at KCRC will provide child care services during the parent's legal meetings if requested. In addition, pro bono attorneys have been provided a room with 2 desks, chairs, and a cabinet. There is a phone for attorney use in the main hall. In addition, vending

machines with snacks and beverages, along with tables, chairs, a microwave and a refrigerator are available next to the visitation area.

b. At STFRC, legal visitation hours are from 7:00 a.m. until 8:00 p.m., seven days per week. There are eight rooms designated for legal meetings, two rooms dedicated to attorney work space, and an additional room for pro bono attorney storage. Pro bono attorneys have been provided access to an on-site printer, tables, desks, meeting rooms, offices, and a copier to facilitate legal access. In addition, vending machines have been installed in the front lobby for the convenience of attorneys and legal representatives. At STFRC, there are 12 phones available in the visitation area, including in the visitation rooms and the open area. The phones are available at no cost for long-distance calls, local calls, and toll-free calls. In addition, licensed child care is available; it was licensed by TXDFPS Child-Care Licensing Division as a Temporary Shelter Program, on May 22, 2015.

c. At BFRC, legal visitation hours are from 8:00 a.m. until 8:00 p.m., seven days per week. BFRC recently added a third attorney client consultation room to provide additional space for legal representatives, and a fourth room, used primarily for tele-video immigration hearings, is also available for meetings with legal representatives. In addition, vending machines with snacks, cold beverages and coffee, along with tables and chairs are available in the legal visitation area. The attorney/client consultation rooms at BFRC were constructed in a manner that allows legal representatives to meet with residents in a private and confidential manner. A dedicated workstation and desk for attorneys and legal representatives was also recently added to the attorney/client consultation area. White noise machines are

available in each room to ensure legal visits remain confidential. The telephone in the BFRC courtroom allows legal representatives and residents to place international, local, toll free and long distance calls free of charge. Each attorney client consultation room at BFRC contains a telephone that can be utilized by legal representatives and residents to make local, toll-free, and long distance calls free of charge. Although residents are permitted to include their children in legal visits if they chose, the lobby outside of the attorney client rooms includes a designated space with toys, games, and other activities for the children to use during such visits. The attorney client rooms have windows that allow residents to view the activities of their children while they are meeting with their legal representatives. Moreover, residents may place their children in on site-licensed child care while they are at their legal appointment. At BFRC, licensed child care is available and is licensed by PA Department of Human Services, as of February 21, 2016.

10. Additionally, ICE has expanded its language access programs over the past year, implementing a new indigenous language protocol known as the *Protocol for Identifying Indigenous Language Speakers at Family Centers*, in all three FRCs, requiring intake staff to ask each resident a series of questions to ascertain their understanding of Spanish or other indigenous languages. (Attached hereto are true and correct copies of ICE/ERO Broadcast at Exh. 5, DHS Dialects-Officer Script in Spanish at Exh. 6, and the Indigenous Languages Flowchart at Exh. 7). If it appears that the resident does not understand Spanish, an Indigenous Dialect Slideshow is played with audio recordings of 13 different indigenous languages (i.e., Quechua, Mam, Q'anjob'al, K'iche, Q'eqchi, Achi, Awaketco, Chuj, Popti, Ixil, Mixteco, Amharic, and Tigrinya). (*See* Exh. 8, which is a true and correct

copy of the Indigenous Dialect Slideshow). Upon identification by the resident of his/her preferred dialect, staff will use a language access line to communicate with the resident. Staff has access to language access lines 24 hours a day.[1] In 2015, ICE also contracted with several language service vendors that the FRCs may use for language interpretation to include indigenous languages.

11. ICE has improved other aspects of the residents' daily living including changing the food menus to better reflect residents' preferred food choices as detailed below.

    a. In June 2015, KCRC changed its menu to incorporate a two entrée option. Unlimited tortillas, beans, and rice were already in place at the time of recommended enhancement. Changes to the cold salad bar included the addition of a variety of fruits, cheeses, and boiled eggs. ICE also had vendors add cheese sticks to the 24-hour refrigerators in the residential areas. Facility staff has measured satisfaction by conducting resident surveys, by observation, and in resident interviews during compliance reviews.

    b. At STFRC, every meal includes an entrée with two side dishes, one child friendly entrée, and a soup. The residents at STFRC also have a full cold salad bar, dessert option, hot and cold beverages, and a full condiment and dressing bar. In addition, beans, rice, and tortillas are offered at every meal. There is no limit to the helpings of food the residents' are allowed to eat. The menu rotates in a six-week cycle. In addition, the STFRC vendor makes adjustments to the menu based on residents' requests.

[1] ICE also initiated two language translation contracts, expanding translation services at FRCs. Specifically, contracts were awarded to Lionbridge and Compass Solutions, organizations which are capable of providing interpretation and translation services for various indigenous dialects.

c. BFRC provides residents with quality and nutritional food. Menus are designed to be nutritionally balanced and are approved by a certified dietician. Morning meals consist of two hot entrée options, cheeses, cereal, grain bars, yogurt and fruit. The standardized lunch and evening menu includes a choice of two hot entrées, one of which is a vegetarian entrée, and multiple side dishes, usually consisting of a vegetable or starch. Residents also have unlimited access to a full-service soup, salad and cold food bar during lunch and evening meal periods. The food bar contains a minimum of one protein option, one dairy option, two vegetable options, and one fruit option, as well as lettuce, soup and salad toppings. Peanut butter and jelly, bread and whole fruits are also offered at all meals. Moreover, rice, beans and tortillas are available at all afternoon and evening meals. Additionally, milk, water, hot beverages and a variety of juices are available for residents during meal periods. Residents can also enjoy snacks outside the regular dining hours. There are refrigerators in the living areas that are restocked daily with juices, snacks, and milk, and there is a microwave in each wing so residents may prepare food purchased from the commissary. Residents are also allowed pre-packaged food from mail or visits that they can keep in a storage container in their bedrooms.

12. ICE has added child-centered materials in housing units, the immigration court waiting area, intake processing center, neighborhood activity rooms, and monitored child care. For example, ICE has added additional writing and reading materials, including coloring books, crayons, and books for leisure reading. In addition, ICE has added toys designed for motor skill development as well as recognition of geometric shapes, colors, and letters. Various

age-appropriate dolls and action figures, as well as toy cars and building blocks have also been made available.

a. In addition at STFRC, the school educators work closely with library staff each month to provide library books which correlate with current instructional themes. The library staff at STFRC provides arts and crafts and showcases corresponding library books as they relate to certain holidays, seasons, etc. The STFRC does not have explicit story time for residents but the library is available anytime from 8:00 a.m. until 8:00 p.m. for parents to read to their children.

b. In 2015, all residential suites at KCRC were outfitted with a wall-mounted play center and an ABC carpet center. In addition, small playscapes were added to the open play areas. A larger dedicated and expanded teenage arcade room opened in January 2016. Electronic devices are available in the library and may be checked out for electronic reading. Also, Resident Advisors regularly take children who are not yet school-age to the library for story-telling seven days a week.

c. The BFRC has a dedicated toddler playroom with colorful murals and depictions of children's characters, toddler seating and tables for play, and bean bags and carpeting for floor play. The room has a variety of age-appropriate play items, books, and developmental manipulatives. The toddler play room is open from 8:00am to 8:00pm, seven days a week. Additionally, there are toddler play areas on each floor of the BFRC with youth seating, tables, and play items.

13. ICE has also continued to work diligently to process and release individuals from the FRCs, as appropriate. ICE's commitment to this process is clearly demonstrated by the statistical data concerning the residents' average length of stay at the FRCs. For the 18,706

residents initially booked into KCRC, STFRC or BFRC (FRCs) from October 23, 2015 to May 16, 2016, and subsequently released or removed as of May 16, 2016, the average length of stay was 11.8 days.[2] Of these 18,706 residents, 58% were released or removed in 10 days or less, 96% in 20 days or less, and 99% in 30 days or less. Of those detained as of May 16, 2016, the average length of stay is 17.7 days. Of the 1,734 detained as of May 16, 2016, 44% have been detained 10 days or less; 88%, 20 days or less, and 94%, 30 days or less.

14. A small percentage of individuals do remain in ICE family residential centers for longer periods of time. This is because these individuals generally fall into one of three categories: (1) individuals who are in mandatory detention because they have not yet been found to have a credible fear, are still seeking to establish a claim to credible fear through requests for re-interview or reconsideration, and have sought and received stays of removal; (2) individuals who have been denied a finding of credible fear and are awaiting removal and subject to mandatory detention; or (3) individuals in family units with final orders where the parent has been determined to constitute a flight risk. (*See* Exh. 9, Chart).

15. ICE has continued to evaluate its processes and seek ways in which to expedite the processing of cases involving families. For example, ICE and FRC staff jointly review every case no later than 15 days after the family unit's apprehension by U.S. Customs and Border Protection (CBP), and every three days thereafter to ensure the case is proceeding appropriately for timely release or removals. Beginning at intake, ICE ERO FRC staff make efforts to identify sponsors and future release options as soon as practicable after a

[2] If a resident was transferred between FRCs within the same detention stay, the length of stay reflects the total detention stay across the two facilities.

family unit is admitted to an FRC. Such procedures are designed to expedite the processing of families and to decrease average length of stay in appropriate cases.

16. While ICE has made significant efforts and expended resources to process families as expeditiously as possible, while maintaining family unity, ICE does not have the institutional capacity or resources to assess whether an adult (other than a parent or legal guardian) seeking custody of a minor already detained with a parent is a suitable custodian who will house the minor in a suitable home environment. ICE is not authorized to expend resources to conduct suitability analyses, and any resources devoted to such endeavors would no longer be available to process families as expeditiously as possible through FRCs.

17. All FRC provide educational services for school age children as described below:

    a. The Karnes County International School (KCIS) is located inside the facility and is operated by the Educational Resource Center, Inc. (ERC), John H. Wood Charter School, headquartered in San Antonio, Texas. KCIS has the backing of an experienced and professional central office in San Antonio including support in school administration, curriculum and instruction, Human Resources, special education, and budgeting/finance. Additional experiences of the school staff include work as a missionary, social work, community volunteers as well as teaching indigent and orphan children in Mexico and Guatemala. Furthermore, most of the professional staff has experience working with culturally diverse, low socio-economic status, ELL and/or at-risk students.

    b. STFRC has a comprehensive student Education Center operated by Fuel Education, providing innovative solutions for pre-K-12th grade. Fuel Education offers a

comprehensive, integrated approach to learning based on their experience partnering with more than 2,000 school districts in all 50 states and D.C. The Education Center is an accredited school. The teachers are state certified and are certified bi-lingual. Students with special needs have access to a special education teacher who provides evaluations as needed and additional support in the classroom and for individualized support. A counselor is available for additional student support as needed.

c. BCRC ensures all children receive educational services and programming in accordance with the FRS and Pennsylvania Educational Standards. Such services take into consideration each child's level of development and comprehension, while offering a structured classroom environment. BFRC contains an on-site school, which is operated by the Berks County Intermediate Unit (BCIU). All teachers at BFRC are certified by the State of Pennsylvania. Additionally, the teaching staff are bilingual (Spanish) and are "English as a Second Language" (ESL) certified or are enrolled in an ESL certification program. Teaching staff are provided ongoing training on cultural awareness and sensitivity, and child development theory. A standardized educational assessment, using age appropriate testing tools, is utilized to determine each resident's educational level within three days of his or her arrival at the center. An educational plan is developed for each resident based on their age and the results of their individual needs assessment. Developmental and comprehension levels are monitored, to include the academic progress of residents to determine the necessity to re-test. Generally, children 4 to 5 years old will participate in a half-day preschool program and children 5 to 18 years old will participate in a full-day academic program. Classes are from 8:45 am to 3:15 pm, Monday through Friday, and the

education services follow the school calendar year as designated by the County. The basic academic areas include science, social studies, math, reading, writing and physical education. Lesson plans and curricula are based on state approved model programs and are, at a minimum, equivalent to community programs to ensure student credits, certificates and diplomas are accepted by community agencies. Students also participate in field trips to places of interest, including local parks, farmers markets, libraries, and universities. During the summer months, reading classes are also available, Monday through Thursday from 8:45 am to 11:45 am.

I declare, under penalty of perjury under 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on this 3rd day of June, 2016.

Jon Gurule
Assistant Director for Field Operations
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security

LIST OF EXHIBITS

1. Danya International, Report on Compliance Inspection of BFRC, Nov. 10, 2015
2. Danya International, Report on Compliance Inspection of KCRC, Sept. 10, 2015
3. Danya International, Report on Compliance Inspection of STFRC, Jan. 27, 2016
4. Legal Access SOP, Oct. 30, 2015
5. ERO Broadcast from Tae D. Johnson to PHI and SNA Field Office Directors and DFODs
6. DHS Dialects – Officer Script in Spanish
7. Indigenous Language Flow-Chart
8. Indigenous Language Slideshow
9. Chart of Individual Declarants Detained Beyond 20 Days (and reasons)

GURULE DECLARATION

EXHIBIT 1

DANYA INTERNATIONAL

Date: November 10, 2015

To: [redacted], National Family Coordinator
JFRMU

From: Elfreida Curtis-Crawley, Compliance Inspector
Danya International, Inc.

Re: Compliance Inspection of the Berks County Residential Center

From October 26, 2015 to October 29, 2015, I conducted a monthly inspection of the Berks County Residential Center. Activities conducted and areas of noncompliance or deficiency are noted below.

Standard	Type of Review	Finding
1.1 Emergency Plans	Monthly	Compliant
1.2 Environmental Health and Safety	Monthly	Compliant
1.3 Transportation by Land	Monthly	Compliant
1.4 Housekeeping and Voluntary Work Program	Monthly	Compliant
2.1 Admissions and Release	Monthly	Compliant
2.2 Contraband	Monthly	Compliant
2.3 Funds and Personal Property	Monthly	Compliant
2.4 Key and Lock Control	Monthly	Compliant
2.5 Resident Census	Monthly	Compliant
2.6 Searches of Residents	Monthly	Compliant
2.7 Sexual Abuse and Assault Prevention and Intervention	Monthly and Follow-up	Compliant
2.8 Staff-Resident Communications	Monthly and Follow-Up	Compliant
2.9 Tool Control	Monthly	Compliant
2.10 Use of Physical Control Measures and Restraints	Monthly	Compliant
3.1 Discipline and Behavior Management	Monthly	Compliant
4.1 Food Services	Monthly	Compliant
4.2 Hunger Strikes	Monthly	Compliant
4.3 Medical Care	Monthly	Compliant
4.4 Personal Hygiene	Monthly	Compliant
4.5 Suicide Prevention and Intervention	Monthly	Compliant
4.6 Terminal Illness, Advance Directives and Death	Monthly	Compliant
5.1 Correspondence and Other Mail	Monthly	Compliant
5.2 Educational Policy	Monthly	Compliant
5.3 Escorted Trips for Non-Medical Emergencies	Monthly	Compliant
5.4 Marriage Requests	Monthly	Compliant
5.5 Recreation	Monthly and Follow-Up	Compliant
5.6 Religious Practices	Monthly	Compliant
5.7 Telephone Access	Monthly	Compliant
5.8 Visitation	Monthly	Compliant
6.1 Grievance System	Monthly	Compliant
6.2 Law Libraries and Legal Materials	Monthly	Compliant
6.3 Legal Rights Group Presentations	Monthly	Compliant
7.1 Residential Files	Monthly	Compliant
7.2 News Media Interviews and Tours	Monthly	Compliant

7.3 Staff Hiring and Training	Monthly and Follow-Up	Compliant
7.4 Transfer of Residents	Monthly	Compliant
7.5 Post Orders	Monthly	Compliant

Overall Observations

- There were 23 Adults, 23 minors for a total of 46 residents at the time of this inspection.
- The staff was welcoming and professional and committed to the facility's mission.
- The facility was clean and well maintained.
- Sean Allain, Health Services Administrator is transferring to Headquarters in Washington, DC. Julie Clement, Assistant Health Services Administrator will be Acting Health Services Administrator starting November 6, 2015.
- Staff members are well trained and informed.

Findings from Current Review

I. Area of Noncompliance or Other Issues

There were no issues identified during this inspection.

Status of Previously Identified Issues or Concerns

I. Area(s) of Noncompliance or Other Issues

The following area(s) of noncompliance or other issues were identified during the previous inspection:

2.7 Sexual Abuse and Assault and Intervention

- **Training on the facility's Sexual Abuse and Assault Prevention and Intervention Program shall be included in initial training for new employees, volunteers, and contract personnel and be included in annual refresher training thereafter.**

  Finding: The facility failed to have their volunteers complete Sexual Abuse and Assault and Intervention Awareness training during their orientation or annually as required by FRS. *(Observed 9/15/15)*

  Mitigation: Facility to have their volunteers complete Sexual Abuse and Assault and Intervention Awareness training during their orientation and provide annual refresher training as required by FRS. All training shall be documented in the volunteer's personnel file.

  Follow-up: Resolved-The facility's trainer has incorporated a new Sexual Abuse and Assault Prevention and Intervention Program acknowledgement form for all the staff, volunteers, and contractors to sign. The facility has already started providing training to the volunteers and contractors during their orientation and annual training. *(Observed 10/26/15)*

II. Issue to Address

4.3 Medical

- **The health care program and the medical facilities shall be under the direction of a health services administrator (HSA) and shall be accredited and maintain compliance with the standards of the Joint Commission on the Accreditation of Health Care Organizations (JCAHO).**

  Finding: The medical facility is not accredited or in compliance with the standards of JCAHO. Facility provided an order terminating the Joint Commission accreditation requirement in IHSC facilities dated July 12, 2012. *(Observed 9/15/15)*

  Mitigation: None recommended.

  Follow-up: Resolved-The medical facility is not accredited or in compliance with the standards of JCAHO. Facility provided the order terminating the Joint Commission accreditation requirement in IHSC facilities date July 12, 2012. *(Observed 10/26/15)*. No further action required.

III. Recommendations

The following recommendations were provided during the previous inspection to improve service delivery:

2.8 Staff-Resident Communications

- **Where required, residents have regular access to translation services and/or are provided information in a language that they understand.**

  Observation: The following forms signed by residents were not provided in Spanish or other native languages: Food Service Agreement to Work; Maintenance Agreement to Work; Housekeeping Agreement to Work; Consent for Treatment; Right to Know; and Grievance Procedure. *(Observed 9/15/15)*

  Recommendation: Translate forms into Spanish or any other native languages or document that language line was used to translate form prior to resident signing.

  Follow-up: Resolved-The facility has translated into Spanish forms to be signed by residents for the following: Food Service Agreement to Work; Maintenance Agreement to Work; Housekeeping Agreement to Work; Consent for Treatment; Right to Know; Parental Notification Form and Grievance Procedures; New Admission Orientation Acknowledgement Form; and Voluntary Work Program Agreement Form. There is a box on each form for the signature of the interpreter used attesting to the information translated. *(Observed 10/26/15)*

5.5 Recreation

- **Every facility will provide indoor and outdoor recreation, the size of which shall include consideration of state requirements for similar facilities.**

  Observation: On the date of the onsite inspection, the indoor recreation was not available to residents due to a roof leak that began a few weeks prior. Maintenance staff was notified as soon as the leak occurred, but had not yet repaired it. *(Observed 9/15/15)*

  Recommendation: Expedite the maintenance repair with Berks County Facilities Department.

  Follow-up: Resolved-The roof leak in the indoor recreation area has been repaired. Inspector observed that the sky light repairs have been completed. *(Observed 10/26/15)*

7.3 Training

Observation: Facility policy requires staff escort for all residents when visiting the medical unit. Inspectors observed an adult male and juvenile male enter the medical unit without escort. Staff in the area did not intervene. Facility Director immediately addressed this issue with staff member. *(Observed 9/15/15)*

Recommendation: Post reminders for both staff and residents regarding policy.

Follow-up: Resolved-Observed reminders in Spanish and English posted on the door to the medical unit that staff must escort all residents visiting the medical unit. *(Observed 10/26/15)*

Cc: [redacted] Chief, JFRMU
Laurie Mankin, Program Manager, Danya International, Inc.

GURULE DECLARATION

EXHIBIT 2

DANYA INTERNATIONAL

Date: August 31, 2015/Resubmitted September 10, 2015

To: [redacted] National Family Coordinator
JFRMU

From: Elfreida Curtis-Crawley, Compliance Reviewer
Danya International

Re: Compliance Inspection

From August 10, 2015 to August 14, 2015, I conducted a targeted review at the Karnes County Residential Center. The following activities were conducted. No areas of noncompliance or deficiency were identified.

Standard	Type of Review
1.1 Emergency Plans	
1.2 Environmental Health and Safety	Baseline
1.3 Transportation by Land	
1.4 Housekeeping and Voluntary Work Program	Baseline
2.1 Admissions and Release	Baseline
2.2 Contraband	
2.3 Funds and Personal Property	
2.4 Key and Lock Control	
2.5 Resident Census	
2.6 Searches of Residents	
2.7 Sexual Abuse and Assault Prevention and Intervention	Baseline
2.8 Staff-Resident Communications	Baseline
2.9 Tool Control	
2.10 Use of Physical Control Measures and Restraints	
3.1 Discipline and Behavior Management	
4.1 Food Services	Baseline
4.2 Hunger Strikes	
4.3 Medical Care	Baseline
4.4 Personal Hygiene	
4.5 Suicide Prevention and Intervention	
4.6 Terminal Illness, Advance Directives and Death	
5.1 Correspondence and Other Mail	
5.2 Educational Policy	Baseline
5.3 Escorted Trips for Non-Medical Emergencies	
5.4 Marriage Requests	
5.5 Recreation	
5.6 Religious Practices	
5.7 Telephone Access	
5.8 Visitation	
61. Grievance System	Baseline
6.2 Law Libraries and Legal Materials	
6.3 Legal Rights Group Presentations	
7.1 Residential Files	
7.2 News Media Interviews and Tours	
7.3 Staff Hiring and Training	Baseline
7.4 Transfer of Residents	
7.5 Post Orders	

8737 Colesville Road, Suite 1100 • Silver Spring, Maryland 20910
Phone 301.565.2142 • Fax 301.565.3710 • www.danya.com

Overall Observations

- The staff was welcoming and professional and committed to the facility's mission of protecting women and their children.
- The facility was clean and well maintained.
- Staff communication lines were open and interdepartmental meetings were held during the inspection period.
- The medical department does not have an electronic filing system, but are working towards that means.
- There appears to be an excellent rapport between ICE and the GEO staff.
- The class schedule mimicked that of the outside community, which should make for a better transition into their receiving communities for children upon their release.

JFRMU Concerns and Recommendations

Use of isolation rooms: The Facility Administrator, Rose Thompson, said the facility does not use isolation rooms. They have rooms where residents who were exposed to TB or any other possible contagious medical issue are kept separate, but the doors are never locked and the residents are allowed to go in and out of the dayroom at any time. Residents with possible TB exposure are asked to notify the medical staff before they enter the dayroom with their children so that the rooms can be sanitized once the resident vacates. The rooms are immediately sanitized after use by a resident with possible TB exposure or other contagious medical issue. There were no posters in the area stating that residents are free to go to the dayroom, but Ms. Thompson said that the residents are fully aware of this.
Recommendation: Hang posters in medical rooms used for those residents exposed to TB or with other possible contagious medical issues informing residents that they are able to visit the dayroom.

Lack of child centered materials in the housing units: There were no child centered decorations in the housing units. There were colorful decorations/murals in the classrooms and intake area.
Recommendation: Develop plan for approval to increase presence of child/family friendly materials, such as painting suites and coordinating special arts projects for the children to provide more decorations in the housing units.

Lack of cups in the recreation area:
The residents are issued permanent cups during intake/orientation for their use. Instructions regarding identifying, cleaning and storing these cups was not provided during intake and instructions are not in the handbook. The Medical unit had enough paper and plastic cups for use by the residents. The recreation area did not have paper or plastic cups available. The children were refilling disposable water bottles that had their names written on them. The Gym Teacher said that they always have cups in the recreation area, but had run out that day.
Recommendation: If permanent cups are distributed to each resident during intake, the process for identifying, cleaning, and storing must be documented and shared with each resident at intake. Facility should inventory cups on a weekly basis to ensure adequate supply is ordered prior to inventory depletion.

Residents are required to return to housing unit at 7:00 pm: The resident cohort that was exposed to Varicella was provided recreation at 7:00pm for one hour. Other residents are asked to return to their housing units to avoid contact. The cohort was separated from the general population and was required to remain in their housing for the entire day, limiting freedom of movement to one hour per day (7pm-8pm). The general population returned to their housing units when the cohort was using the recreation area/yard.
Recommendation: Develop a plan for approval to provide the cohort freedom of movement from 8am to 8pm while maintaining the health of the rest of the residents.

Concerns that the facility is not fully staffed: There were six vacant positions--four food service workers, one health care worker (LSW), and one security supervisor. Potential employees were identified and will start work upon completion of their security clearances. The security supervisor is also awaiting approval from the GEO regional authority. The facility administrator stated that existing staff covered these tasks while the position was vacant, and resident services were not impacted by these staff vacancies

Recommendations

All areas observed appear to be in compliance with the Family Residential Standards (FRS). However, the following recommendations were shared during the daily debriefings and are summarized below:

1.2 Environment Health and Safety
Observation: After reviewing the daily inspection for the period between 7/25/15-8/9/15, it was noted that one of the main computers had a broken microphone. This was listed numerous times on the Activity Area inspection report without notation that the part was ordered.
Recommendation: Once a maintenance request has been logged, a notation listing the maintenance request number as well as the status should be notated on the daily Activity Area Inspection report to reflect that the issue was addressed.

4.3 Medical
Observation: The facility is using paper files to document resident's medical information.
Recommendation: IHSC COR and Field Office COR explore the implementation of an electronic health record system that will track resident medical information, calendar medical appointments, and track upcoming needs.

cc: [redacted], JFRMU Chief
Laurie Mankin, Danya Program Manager

GURULE DECLARATION

EXHIBIT 3

DANYA INTERNATIONAL

Date: January 27, 2016

To: [redacted], National Family Coordinator
JFRMU

From: Perry M. Mitchell, Compliance Inspector
Danya International, Inc.

Re: Compliance Inspection of the South Texas Family Residential Center

From January 4, 2016 to January 6, 2016, I conducted a monthly inspection at the South Texas Family Residential Center along with the annual subject matter expert review of both education and monitored care. The following activities were conducted and findings noted:

Standard	Type of Inspection	Finding
1.1 Emergency Plans	Monthly, Follow up	Noncompliant
1.2 Environmental Health and Safety	Monthly	Compliant w/ issues
1.3 Transportation by Land	Monthly	Compliant
1.4 Housekeeping and Voluntary Work Program	Monthly, Follow up	Compliant
2.1 Admissions and Release	Monthly	Compliant w/ issues
2.2 Contraband	Monthly	Compliant
2.3 Funds and Personal Property	Monthly	Compliant
2.4 Key and Lock Control	Monthly	Compliant
2.5 Resident Census	Monthly	Compliant
2.6 Searches of Residents	Monthly	Compliant
2.7 Sexual Abuse and Assault Prevention and Intervention	Monthly	Compliant
2.8 Staff-Resident Communications	Monthly	Compliant
2.9 Tool Control	Monthly	Compliant
2.10 Use of Physical Control Measures and Restraints	Monthly	Compliant
3.1 Discipline and Behavior Management	Monthly	Compliant
4.1 Food Services	Monthly	Compliant
4.2 Hunger Strikes	Monthly	Compliant
4.3 Medical Care	Monthly, Follow up	Compliant
4.4 Personal Hygiene	Monthly	Compliant
4.5 Suicide Prevention and Intervention	Monthly	Compliant
4.6 Terminal Illness, Advance Directives and Death	Monthly	Compliant
5.1 Correspondence and Other Mail	Monthly	Compliant
5.2 Educational Policy and Monitored Care	Monthly	Compliant w/ issues
5.3 Escorted Trips for Non-Medical Emergencies	Monthly	Compliant
5.4 Marriage Requests	Monthly	Compliant
5.5 Recreation	Monthly	Compliant
5.6 Religious Practices	Monthly	Compliant
5.7 Telephone Access	Monthly	Compliant
5.8 Visitation	Monthly	Compliant
6.1 Grievance System	Monthly	Compliant
6.2 Law Libraries and Legal Materials	Monthly	Compliant
6.3 Legal Rights Group Presentations	Monthly	Compliant
7.1 Residential Files	Monthly	Compliant
7.2 News Media Interviews and Tours	Monthly	Compliant
7.3 Staff Hiring and Training	Monthly	Compliant
7.4 Transfer of Residents	Monthly	Compliant
7.5 Post Orders	Monthly	Compliant

8737 Colesville Road, Suite 1100 • Silver Spring, Maryland 20910
Phone 301.565.2142 • Fax 301.565.3710 • www.danya.com

Overall Observations

- Total population on the 1st day (January 4th, 2016) of this inspection: 1,311
  - Count of School Age Children Enrolled in School: 449
  - Average Length of Stay at time of Inspection: 10.6 days
- The facility was clean and well maintained.
- Residents appeared to be in good spirits.

Findings from Current Inspection

I. Areas of Noncompliance

There were no new areas of noncompliance identified in the current inspection; however, noncompliant items still outstanding are noted below:

1.1 Emergency Plans

- **Each facility will have in place contingency plans to quickly and effectively respond to any emergency situations that arise and to minimize their severity.**
- **An evacuation plan will be in place in the event of a fire or other major emergency, and the plan will be locally approved and updated at least annually.**

Finding: Some facility emergency plans have components that are more applicable to a correctional setting and are not appropriate for this facility. For example, there is a reference to an armory; however, there is no armory onsite. There is no plan that identifies a location or process for evacuating residents in the event of an emergency. *(Observed 9/22/15)*

Mitigation: Review emergency plans and remove/modify components not appropriate for this setting. Expand evacuation plan to include *(Recommended 9/22/15)*:

- MOU's with local municipalities or private businesses regarding transportation of residents;
- Plan for transporting children, to include acquisition of car seats and other needed equipment;
- Designated location where all residents and staff are to be transported to and from, including MOU with designated location, if needed;
- Food and water supply and transportation logistics; and
- Other items, as appropriate.

Follow-up *(12/2/15)*—Partially Resolved: The following was observed in regard to this issue:

- Correctional language such the "armory" and "count" has been removed from all Emergency Plans.
- The facility has yet to get MOU's with a transportation service to transport residents in

the event of an emergency. The facility currently has a contract with Transcor to transport 140 residents. This issue is not resolved.

- The facility has car seats to transport children.
- The facility incorporated into their Emergency Plans information regarding food and water supply and transportation logistics in the event of an emergency.

Follow-up *(1/6/16)*—Partially Resolved: The facility has reported that they are in the process of reviewing two proposals from Metropolitan Shuttle and Star Shuttle to transport residents in event of an emergency; both companies are located in San Antonio, Texas. Once review process is completed, STFRC will need to enter into a Memorandum of Understanding (MOU) with the contractor(s) selected.

1.4 Housekeeping and Voluntary Work Program

- **Eligible adult residents will have opportunities to work and earn money while in residence, subject to the number of work opportunities available and the constraints of safety, security, and good order.**

Finding: Mr. Delgado and Chief Ruiz confirmed that there are no residents participating in the Voluntary Work Program. Forty-four (44) were approved by ICE but have not received medical approval. *(Observed 9/22/15)*

Mitigation: Review policy to determine what approval is needed from medical staff. Incorporate these screenings into the overall plan for triaging medical appointments and services. *(Recommended 9/22/15)*

Follow-up:

- ***(12/2/15)*—Not Resolved:** Facility staff have not had the opportunity to address. Will review at next inspection.
- ***(1/4/16)*—Resolved:** The facility continues to have a voluntary work program, but no residents are participating as the average length of stay is approximately 10 days. We will continue to monitor monthly.

II. Areas of Compliance with Issues Identified

1.2 Environmental Health and Safety

- **High facility standards of cleanliness and sanitation, safe work practices, and control of hazardous substances and equipment are employed at the facility, thereby protecting residents, staff, volunteers, and contractors from injury and illness.**

(k) All toys and recreational equipment remaining in medical clinic area shall be disinfected daily.

Finding: I reviewed the Daily Toy Sanitation Log, and it was apparent that daily toy cleaning was either not being completed or not being logged. Documentation was very sporadic. *(Observed 1/5/16)*

Mitigation: Ensure that staff assigned to medical understands the importance of disinfecting the toys daily and documenting all daily cleanings. *(Recommended 1/5/16)*

2.1 Admissions and Release

- **When required, residents have regular access to translation services and/or are provided information in a language that they understand.**

  Finding: The facility utilizes a logbook during intake to document when the language line is used during the intake process. Review of both the log and the list of the resident's primary and second language (dated 1/04/16) does not show consistent use or consistent documentation of use of the language line. Two residents have Arabic listed as both their primary and secondary language and there is no corresponding entry in the logbook documenting use of the language line. One resident has Arabic listed as the primary and English listed as the secondary, and there is an entry in the log book noting use of the language line. The third resident has Mam listed as the primary language and Spanish listed as the secondary language, and there is an entry in the logbook noting the language line was used. *(Observed 1/5/16)*

  Mitigation: Ensure that staff assigned to intake are aware of when to use and document the use of the language line. For those residents where the primary and secondary language is not English or Spanish and the language line is not used, develop and implement a process document why. *(Recommended 1/5/16)*

- **Residents are admitted to or released from a facility in a secure and orderly fashion.**

  Finding: There was a large increase in admissions since 12/25/15. Most residents had completed the intake process within 12 hours or less. However, on 12/28/15, the facility received 56 new intakes and 24 of the 56 exceeded the 12 hour processing time frame. (*Observed on 1/4/16)*

  Mitigation: Ensure that facility intake staff communicates with the medical unit when intake spikes. Advanced notice on intake surges should provide medical staff with enough time to allocate the appropriate medical staffing to intake.

III. Recommendations

Please see subject matter expert recommendations for monitored care and education attached.

Status of Previously Identified Noncompliant Issues and Other Concerns

I. Status of Previously Identified Noncompliant Issues or Other Concerns

4.3 Medical

- **The health care program and the medical facilities shall under the direction of a health services administrator (HSA) and shall be accredited and maintain compliance with the standards of the Joint Commission the Accreditation of Health Care Organizations (JCAHO).**

  Finding: The medical facility at South Texas Residential Center is not accredited or in compliance with the standards of JCAHO. *(Observed 12/1/15)*

  Mitigation: None recommeded. *(Recommended 12/1/15)*

  Follow-up: Resolved— The medical facility is not accredited or in compliance with the standards of JCAHO. A letter terminating the Joint Commission accreditation requirement dated July 12, 2012 from the ICE Health Service Corps was provided to Danya. No further action required. (*Observed 1/04/16)*

II. Status of Previously Identified Recommendations

Tracking/Data Management

- **Observation(s):** Staff does a tremendous amount for manual logging and tracking. The coding on the resident's IDs is only scanned for the lunchtime census. Data is in different systems and not able to be integrated. *(Observed 9/22/15)*

  Recommendation(s): Determine if the resident IDs can be used when residents go to class, medical, and other activities. This will help with tracking and identifying truancy or missed medical appointments immediately so RSs can intervene. It also registers how long a resident waits for medical services. Data would be very helpful to identify both successes and areas of improvement. Also include reporting capabilities in the assessment.

  Conduct an implementation feasibility assessment with possible pilot testing within 30 days of receipt of this report and submit to ICE, JFRMU and Inspector. *(Recommended 9/22/15)*

  Follow-up:
  - ***(9/22/15)*—Not Implemented:** Scanning used for ~~recreation~~ physical education, meals, and medical. [correction from last inspection]
  - ***(12/3/15)*—Not Implemented:** The facility has yet to identify other uses for using the

scanning process. Data reports have not yet been reviewed and will be observed at the next inspection.

- ***(1/6/16)*—Partially Implemented:** Facility is using scanning process to monitor the time it takes a resident from check in for sick-call until when they have been seen by medical staff. This information will provide a snapshot of the wait time it takes for residents to be seen during sick call. A report for This report contains residents name, date, time resident checks in, and time resident checks out. Staff were unable to run a report for 1/7/16, but when asked, the were unable to run a report for earlier timeframes.

  Recommendation(s): Provide ability to run reports for selected dates or timeframes.

Lighting

- **Observation(s):** Adults do not have a light source available after lights out. *(Observed 9/22/15)*

  Recommendation(s): Provide task lighting desk lamps for adults to use after lights out. *(Recommended 9/22/15)*

  Follow-up:
  - ***(9/22/15)*—Not Implemented:** CCA sent proposal to ICE for approval.
  - ***(12/1/15)*—Not Implemented:** The facility has purchased lights, but the lights have not been installed. The facility is waiting for ICE approval to install.
  - ***(1/6/16)* – Not Implemented:** The facility has purchased lights; however, ICE has some safety concerns. The lighting project is currently under review by ICE.

Annual Education Subject Matter Expert Inspection

In addition to our monthly inspection, our education subject matter expert, Rosemarie Franchi, conducted an extensive review of the education and monitored care services, Ms. Franchi:

- Observed the monitored care facility and practices;
- Discussed the curricula model used by the facility with the principal and teachers;
- Interviewed staff and observed classrooms; and
- Reviewed the assessment tools and processes.

Monitored Care: The monitored care staff meet all Texas Department of Family and Protective Services minimum standards and has a Temporary Shelter Care License with a maximum capacity of 48. Staff are welcoming to both children and families and ensure all children transitioning into the setting feel welcomed and safe. There has never been an instance where a parent could not be accommodated.

Materials are very limited for the numbers of children who visit the monitored care site and many are not age appropriate. Very few of the materials reflect culture of the children. Several of the toys had very small pieces and pose a choking hazard for younger children. There were insufficient quantities of paper, paints, crayons, markers and other materials. Only one of four Video Leap Frog kits was operational.

Children had no place to hang their winter coats - only six coat hooks were available and children placed their coats on chairs or the floor. Teachers' belongings are stored where children have easy access as there is no available personal storage. Shelving units for storing toys were too large for children to be able to access by themselves and pose a safety risk for children because they are heavy and could potential fall over causing injury.

The education SME was told by the Principal and Guidance Counselor that they were not allowed to hang anything from the suspended ceilings as it posed a fire risk and was against state regulations. However, in the monitored care setting, several articles were found hanging from the ceiling.

Although the setting never exceeded teacher/child ratios several young children required 1-1 attention due to separation anxiety. This caused a backlog of families waiting to drop off children because many forms had to be completed by monitored care staff before the child could be dropped off, particularly if it was the family's first visit.

Recommendation(s) for Improvement:

- Provide additional age appropriate toys and materials. Obtain staff input when ordering.
- Provide a locked storage cabinet for to store materials and teacher belongings. A filing cabinet should also be purchased so that teachers are able to file facility paperwork.
- Provide an additional child size table and chairs and place the small climbing apparatus in the room next door for toddlers since it is not appropriate for older children to use.
- When large numbers of residents enter the facility and families have appointments, additional staffing should be provided.
- Provide copies of forms and other paperwork in housing units so that parents can complete it prior to arrival. This would lessen the wait time for families.

- Realign daily attendance forms to match the software program - change the order of fields to ensure efficient data entry.
- Ensure that all fire prevention practices are uniformly applied.

Education: Ms. Franchi also conducted an extensive review of the education services provided. Ms. Franchi:

- Assessed the curricula delivered;
- Interviewed staff and conducted classroom observations; and
- Reviewed the initial assessment tools and process.

Ms. Franchi determined that the educational services provided at the South Texas Residential Center exceed the requirements of the Family Residential Standard. The principal has instituted a team teaching model across all grade levels. This ensures appropriate teacher-child ratios are consistently maintained and instruction is always provided by state certified staff.

Teacher turnover is minimal allowing staff to develop a strong understanding of the curricula and ensures fidelity to instruction. Teachers have paid planning time and share best practices and teaching strategies during regular professional development days

The principal and teaching staff have drafted a handbook that outlines the STRC educational mission, vision, and other information that can be shared with LEA's and other key stakeholders helping them gain a better understanding of the services provided.

Instruction in the Core Subjects exceeds state and local requirements of 45 minutes - instruction is 60 minutes per Core Subject. Teachers have a wealth of materials and access to technology. Each teacher is allocated a monthly budget in order to purchase additional supplies and resources to support the curriculum.

Recommendation(s) for Improvement:

- Provide an additional copier for teachers on site in the educational module-teachers now leave the classrooms and travel to another modular unit to make copies.
- Investigate use of restroom facilities within the existing educational modular space. Teachers now must leave the modular unit and travel to the Administrative offices.
- Strategize how the library could be better utilized by each grade level. Brainstorm ways to have a stronger collaboration with the library staff to better align with classroom curricula and ensure regular use of the library space.
- Develop a "memory book" that a child can take when leaving the facility. This packet could contain simple activities for the child that help to maintain lessons learned and ensure a smoother transition into their next school setting.

cc: [redacted], Chief, JFRMU
Laurie Mankin, Program Manager, Danya International, Inc.

GURULE DECLARATION

EXHIBIT 4

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
ENFORCEMENT AND REMOVAL OPERATIONS
STANDARD OPERATING PROCEDURES

Legal Access and Legal Visitation Standard Operating Procedures for ICE Family Residential Centers

Directive Number: [redacted]
Issue Date: 10/30/2015
Superseded: None.
Federal Enterprise Architecture Number: [redacted]

1. **Purpose/Background.** These Standard Operating Procedures establish minimum legal access and legal visitation standards applicable to all Immigration and Customs Enforcement (ICE) Family Residential Centers (FRC) that are active and operational as of the above effective date.

2. **Policy.** ICE will promote access and visitation for residents by legal representatives as set forth in these standard operationg procedures. In the event of an emergency that threatens the safety or security of FRC residents and/or staff, the facility administrator may temporarily suspend these procedures, in whole or in part. Any violation of the legal access and visitation rules by a visitor may result in corrective action, including suspension of access to the facility. Any criminal violations may lead to criminal arrest and prosecution. ICE will review these procedures on an annual basis or more frequently if operationally required.

3. **Definitions.** The following definitions apply for purposes of this SOP only.
   1) **Attorney**. Any person who is eligible to practice law in, and is a member in good standing of the bar, of the highest court of any State, possession, territory, or Commonwealth of the United States, or of the District of Columbia, and is not under any order suspending, enjoining, restraining, disbarring, or otherwise restricting him/her in the practice of law. 8 C.F.R. § 1.2.

   2) **Interpreter.** A person who provides an oral interpretation or written translation, from one language and converts to another language while retaining the same meaning.

   3) **Legal Assistant.** An individual (other than an interpreter) who, working under the direction and supervision of an attorney or legal Representative, assists with group presentations and in representing individual residents. Legal assistants may interview residents, assist residents in completing forms, and deliver papers to residents without the Attorney or Legal Representative being present.

   4) **Independent Medical Expert.** An individual who is licensed or otherwise authorized by a state to provide medical or mental health care services, including but not limited to physicians, registered professional nurses, and licensed social workers. Such individuals are not permitted under this SOP to provide medical or mental health care services to residents, but may be permitted to evaluate individual residents for purposes of preparing expert reports.

5) **Legal Representative.** Any person who is legally authorized to represent another, including accredited law school students under the direct supervision of a faculty member, licensed attorney, or accredited representative, and accredited law school graduates not yet admitted to a bar; "reputable individuals"; accredited representatives; accredited officials; and attorneys outside the United States. *See* 8 C.F.R. § 292.1.

4. Responsibilities.

1) **The FRCs and Legal Visitors** are responsible for following the procedures in Section 5 of this directive.

2) **Legal Representatives** are responsible for completing and submitting a Form G-28 to ICE/ERO if an attorney-client relationship has been established. This requirement applies to both visitation with individual residents and to attorney-client group legal meetings. Such forms will be available in the legal visitation reception area. Each completed Form G-28 becomes a permanent part of the resident's administrative file, and it remains valid until ICE/ERO receives written notice of the relationship's termination from the resident or the legal representative. Attorneys representing residents on legal matters unrelated to immigration are not required to complete a Form G-28. In addition, Form G-28 is not required for pre-representation sessions provided by attorneys or legal representative.

5. Procedures.

5.1. Notification of Visitation Rules and Hours. Every FRC will complete the following actions to promote access and availability of visitation rules and procedures:

1) Provide existing and newly admitted residents with a resident handbook (or equivalent) upon admission, which shall include information regarding FRC visitation rules and hours in Spanish and English.

2) Conspicuously post visitation rules and hours in Spanish and Engligh in common resident areas and housing units.

3) Promote public access to visitation Rules and hours in both Spanish and English through conspicuous postings in the visitor waiting areas, in writing upon request, and telephonically via live voice or recorded message.

5.2. Visitor Logs.

1) The PERC/LESC will complete a records check of the subject, including but not limited to, National Crime Information Center (NCIC) active wants and/or warrants, criminal history, immigration status, and docket location.

5.3. Access to Communication Devices.

1) FRCs will maintain a land-line telephone in each legal visitation room for use by attorneys and residents for legal visitation purposes relevant only to the specific visit.
2) Use of personal electronic devices (e.g., cell phones/ smart phones, and other Wi-Fi/cellular enabled devices) is generally prohibited. The use of laptops, Wi-Fi and hot spot devices, and tablets are, however, permitted in the visitation area. At the discretion of the ICE Facility Administrator, limited cell phones/smart phones may be permitted if functioning land-line telephones become unavailable.

5.4. Visiting Room Conditions.

1) Visiting areas will be appropriately furnished and arranged, and as comfortable and pleasant as practicable, including safe and appropriate accommodations for children.

2) Monitored care of children is available upon request as explained in the section below entitled "Legal Visitation Privacy."

3) As practicable space should be provided outside of the immediate visiting areas for the secure storage of visitors' coats, handbags, and other personal items.

4) The facility administrator will provide adequate supervision of all visiting areas. The visiting area staff will ensure that all visits are conducted in a quiet, orderly, and dignified manner.

5.5. Visitors' Food and Drink.

1) Visitors will be permitted to bring water and an appropriate amount of snacks for personal consumption.

2) FRCs will designate specific areas of the facility in which food and beverages may be consumed, generally inside the visitation area.

3) Food and beverages may not be shared with or otherwise provided to the residents.

4) All food and beverages will be subject to search upon entering the FRC.

5) FRC staff will ensure that food and beverage vending machines are stocked appropriately.

5.6. Pre-Screening Requirement For Designation of Legal Visitors and Independent Medical Experts.

1) For the safety and security of FRC residents and staff, FRCs will require all prospective Legal Visitors to pass pre-clearance/ record checks seventy-two (72) hours prior to the intial visit. The pre-clearance/records checks will include, but is not limited to, identity verification, current employment or educational status, arrest and criminal history, and verification of training, certification, and/ or skills underlying the applicant's request for legal/medical visitor designation.

2) Licensed attorneys may satisfy the pre-clearance/records check requirement with proof of identity and proof of admission and good standing in any state bar. Licensed attorneys satisfying these requirements will not be required to undergo the broader screening referenced above.

3) The ERO Field Office Director (FOD) for the area of responsibility (AOR) containing the respective FRC is the approving official forapplications for Legal Visitor designation.

5.7. Visits by Legal Representatives and Legal Assistants.

1) Subject to the restrictions herein, individuals in the following categories are considered Legal Visitors:
   a. Attorneys and Legal Representatives
   b. Legal Assistants

      i. Upon presentation of a letter of authorization from the legal representative under whose supervision the legal assistant is working, an unaccompanied legal assistant may meet with a resident during legal visitation hours. The letter must state that the named legal assistant is working on behalf of the supervising legal representative for the purpose of meeting with the FRC resident(s).

   b. Interpreters
      i. Interpreters will be permitted to accompany legal representatives and legal assistants on legal visits, subject to visitor identification and search procedures detailed in the sections titled "Pre-Screening Requirement For Designation of Legal Visitors" and "Necessary Documentation to Prove Legal Representative and Legal Assistant Status."

   c. Independent Medical Experts
      i. Upon presentation of a written request by a legal representative under whose supervision the medical expert is working, and approval by the ERO Juvenile and Family Residential Management Unit, a medical or mental health professional will be permitted to conduct an independent medical or mental health examination of a specified resident. (Note: Such individuals are not permitted under this SOP to provide medical or mental health care services to residents.). The written request must identify the individual resident to be examined and the purpose of such examination. Neither ICE nor the facility may assume any cost for the examination.

2) Messengers who are not legal representatives or legal assistants will be permitted to deliver documents to and from the facility, but not visit residents.

3) Prior to each visit, all legal representatives and assistants will be required to provide identification. State bar cards are preferred. Attorneys who are members of a state bar that does not provide bar cards are required to present other documentation that verifies bar membership. If such documentation is not readily available, the attorney will be required to report where he or she is licensed as an attorney and how this information may be verified.

4) Law students must have a government-issued identification card and a memorandum on letterhead from the supervising attorney who is a bar member in good standing acknowledging that the law student is a representative of the supervising attorney.

5) FRCs will ensure that local rules allow each resident to meet privately with current or prospective legal representatives and their legal assistants. The FRC and ICE staff may not inquire into the subject matter of visits with legal representatives and assistants.

6) A legal visitation request, using the appropriate facility form, should be completed and submitted to the facility at least twenty-four (24) hours prior to the requested visit time to ensure proper scheduling of a private meeting room.

    a. The legal visitation request form must identify the resident to be visited.

    b. Legal representatives and assistants are not required to provide, and FRC staff shall not inquire into a resident's A-number as a condition of visiting; FRC staff will make a good-faith effort to locate a resident if provided with sufficient information about the resident.

7) Legal representatives and assistants may call the facility in advance of a visit, to determine the custody status of a particular individual. These calls may be answered by facility staff or forwarded to a designated ERO officer within the facility or to the ERO field office within the respective AOR.

8) The FRCs will not reject qualified attorneys or pre-cleared legal visitors who fail to provide notice 24 hours in advance, but failure to provide such notice may result in the following:

    a. Notification to such legal visitors that their visit may be accommodated subject to space limitations, and only following the facilitation of legal visits of those who provided notice 24 hours in advance;

    b. Placement of such legal visitors in queue or an on-call list to replace no-shows or cancellations from legal visitors who provided advanced notice; and/ or

    c. The FRC's inability to identify or locate residents in a timely manner.

9) Legal representatives and assistants are subject to a search, at any time, of his/her person and belongings, pursuant to a reasonable and articulable basis, for the purpose of ascertaining the presence of contraband.

10) The FRCs will designate a Legal Access Communications Liaison Officer to administer legal access policies and procedures discussed in this SOP and facilitate legal access related communication between residents and the public, including legal visitors.

11) The FRC personnel will be required to complete Legal Access detention standards training and refamiliarize themselves with the provisions of this SOP at least once each fiscal year to ensure consistent and fair application of legal visitation rules.

5.8. Legal Visitation Hours.

1) The FRCs will permit legal visitation seven (7) days a week, including holidays, for a minimum of eight (8) hours per day on regular business days, and a minimum of four (4) hours per day on weekends and holidays.

2) Notwithstanding the regular visitation hours, the FRC and ICE staff maintains discretion to extend or terminate legal visits at the end of the allotted time.

3) On regular business days, legal visitations may proceed through a scheduled meal period. If residents miss their scheduled meal as a result of a legal visit, the FRC staff will ensure that a meal is provided upon conclusion of the conflicting legal visit.

5.9. Pre-Representation Meetings. During regular legal visitation hours each FRC will permit residents to meet with prospective legal representatives. Each FRC will document pre-representation meetings in the logbook for legal visitation. For meetings that are pre-representational and no attorney-client relationship exists, legal service providers do not need to complete a Form G-28.

5.10. Legal Visitation Privacy.

1) The substance of conversations during legal visits between legal representatives or assistants and a resident are confidential and will not be subject to auditory supervision by FRC or ICE staff.

2) FRC and ICE staff will not be present in the legal visitation room unless the legal representative or assistant requests the presence of staff; however, staff may observe the visit through a window or camera, and only to the extent necessary to maintain security.

3) If the legal representative requests to meet with a resident in a general visitor or other alternate visiting room, the request should be accommodated if practicable. Such meetings will be afforded privacy but only to the extent practical under the circumstances.

4) Due to the presence of children and the requirement to provide for attorney-client visitation, visitation areas will be constructed in a manner that allows for parents to view the activities of their children within the visitation area. Furthermore, monitored care for children is available by staff at all FRCs should parents opt to use this amenity.

5) Legal visitors may occupy a meeting room for successive resident client visits but only if any other attorney is not waiting. When there are attorneys waiting, the initial attorney may return to the queue and wait for an attorney client space to become available so as to meet with more clients.

6) FRC staff are generally prohibited from holding a room for a legal representative who leaves the FRC premises. Exceptions will be considered and decided by the Legal Access Communications Liaison Officer. Legal representatives who leave the facility and return at a later time may be placed back in queue should all rooms be filled with other attorneys and residents.

5.11. Dedicated Workspace.

1) Recognizing the unique nature of FRCs, the vulnerability of the resident population, families and juveniles, and other unique qualities of families awaiting immigration case processing, the FRCs will reasonably provide registered pro-bono legal representatives with a dedicated workspace for use by the attorneys and legal representatives, and their legal assistants and interpreters, in the representation of the FRC residents. Prior to using this workspace and equipment, the legal representative will be required to sign specific user agreements, which may permit, in the discretion of the FRC, for limited pre-cleared personal office equipment in the workspace.

2) Provisions for copy services for legal representatives will be instituted providing there is no cost to the government.

5.12. Materials Provided to Residents by Legal Representatives.

1) The FRCs will allow residents and legal representatives to exchange documents that are relevant for legal representation purposes.

2) Legal representatives may provide one (1) business card per resident/client.

3) Written material provided by a legal representative to a resident during a legal visit may be inspected by an FRC staff, but not read.

4) Residents are entitled to retain legal material received for their personal use.

5) Quantities of blank forms or self-help legal material in excess of those required for personal use may be held for the resident with his or her stored property. The resident will be permitted access to these documents through the established avenues of communication.

5.13. Resident Access to Personal Medical Records.

1) Any FRC resident may, at any time, request access to his/ her medical records that are maintained at the FRC, by submitting a medical records request form and a signed HIPAA-compliant waiver to a designated FRC staff.

2) The medical request and HIPAA forms shall be available in common areas.

3) Upon receipt of the properly completed request, the FRC staff will generally produce the medical records within five (5) business days of the receipt of the request.

4) Legal representatives and former residents may use the FOIA process to request medical records.

5.14. Request for Identity Documents. A copy of the resident's identity documents will be provided to the resident upon request. The facility and/or ICE will maintain records of all documents provided to the requesting resident and/or their attorney of record.

5.15. Communication with Residents.

1) FRC and ICE staff will utilize contracted interpreters and translators, when necessary, to facilitate communication between staff and the residents.

2) ICE contracted interpreters and translators will be strictly prohibited from facilitating any legal communication between a legal representative and a resident. This strict prohibition protects all parties from potential conflicts of interest, impermissible disclosures, and any ethical issues that may arise pertaining to attorney-client privilege.

5.16. Attorney-Client Group Legal Meetings. Upon the request of a legal representative or assistant, the ICE facility administrator may permit a confidential meeting (with no staff present) involving the requester and two (2) or more residents. This may be for various purposes: pre-representational, representational, removal-related, etc. Such requests should be made to the Legal Access Communications Liaison. The FRCs should grant such requests to the greatest extent practicable. The ICE facility administrator will limit resident attendance according to the practical concerns of the facility, or the security concerns associated with the meeting in question. Attorney-client group legal meetings are distinct from legal rights group presentations, which are governed by ICE Family Residential Standard 6.3 (Legal Rights – Group Presentations).

5.17. Pro Bono List and Resident Sign-Up.

1) The U.S. Department of Justice (DOJ), Executive Office For Immigration Review (EOIR) produces and updates a list of local pro bono legal organizations. FRCs will promptly and prominently post the most current list in common areas.

2) Any legal organization or individual on the current list may contact the ICE facility administrator to request the posting and/or general circulation of a sign-up sheet to facilitate attorney-client meetings. Upon approval, the ICE facility administrator will notify residents of the sign-up sheet's availability and, according to established procedures, ensure coordination with the pro bono organization.

5.18. Consequences for Violations of Visitation on Contraband Rules. The following apply to FRC visitors:

1) Any visitor who violates any visitation rule, including adversely impacting the safety or security of the facility, may face corrective action, including visitation restrictions from all FRCs, immediate cancellation or termination of a visit, and/or suspension of future visitation privileges.

2) Any offense involving contraband or other criminal violations may lead to criminal arrest and referral for prosecution.

3) The ERO FOD, in the AOR of the relevant FRC, is designated as the deciding official on all corrective actions considered against legal visitors.

4) The FOD will confer with the AOR's Office of the Principal Legal Advisor Office of the Chief Counsel prior to taking corrective action taken against legal visitors.

5) The FOD must notify the ERO Assistant Director for Field Operations within two hours of any terminated or refused legal visit. Barred visitors will receive prompt basis for such restriction.

6) After five business days, visitors barred from the facility may submit a written request to the FOD requesting reinstatement of visitation privileges. The FOD, or designee, will provide a written response to each request.

6. **Recordkeeping.** Records will be maintained as described in these Standard Operating Procedures.

7. **Authorities/References.** Not applicable.

8. **Attachments.** None.

9. **No Private Right.** These guidelines, which may be modified, superseded, or rescinded at any time, are not intended to, do not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable by law by any party in any administrative, civil, or criminal matter.

[redacted]

Thomas Homan
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement

GURULE DECLARATION

EXHIBIT 5

This message is being forwarded on behalf of [redacted], Assistant Director for Custody Management, with the concurrence of [redacted], Assistant Director for Field Operations:

To: **PHI and SNA Field Office Directors and Deputy Field Office Directors**

Subject: **New Protocol for Identifying Indigenous Language Speakers at Family Centers**

In August 2015 ICE Director Saldana issued a Language Access Plan (LAP) in support of Executive Order (EO) 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000). This executive order requires federal agencies to examine and improve accessibility to the services they provide for individuals who are limited English proficient.

As part of ICE's efforts to improve language access at its Family Residential Centers (FRC), effective immediately, FRC staff will employ the following procedures (see attached flowchart) during the intake process:

1) As one-word responses are insufficient to assess understanding, staff will engage residents in conversation to elicit responses that convey meaningful understanding. Upon arrival of a resident, staff will utilize the attached script to address all Mexican, Central and South American individuals to determine the resident's primary language.

2) Refer to the script and ask the resident questions in Spanish. Based on their responses, if an individual appears to have no understanding of Spanish, please refer to the attached "Intakes Indigenous Slideshow" to determine the appropriate language. If staff believes the resident is proficient in Spanish, they will also ask a control question to determine if the resident feels more comfortable speaking a language other than Spanish. If the resident responds "no" to the control question, the processing may take place in Spanish.

3) If the resident answers "yes", the staff will utilize the indigenous language slideshow to help determine the appropriate language, and then seek assistance from an approved ICE language line to conduct intake processing. The brief slideshow provides audio spoken in the various dialects from that country as well as an English translation so intakes staff can follow along. When a resident understands the spoken sentence for each dialect, the resident will motion to staff by raising their right hand.

4) When an indigenous speaker has been identified the language must be documented in EADM and the resident file and communicated to center staff. Intake staff will seek interpretive assistance from one of several language lines available. For more information on available language lines please visit https://insight.ice.dhs.gov/ero/custody/Pages/jfrmu.aspx.

If you have any questions, please contact Juvenile and Family Residential Management Unit Chief, [redacted] at (202) [redacted]r via email at [redacted]

NOTICE: This communication may contain privileged or otherwise confidential information. If you are not an intended recipient or believe you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use this information. Please inform the sender that you received this message in error and delete the message from your system.

GURULE DECLARATION

EXHIBIT 6

DHS Dialects-Officer Script in Spanish

1. *Where do you normally shop for clothing and food in your home country?*

   En tu país, ¿dónde compras la ropa y la comida normalmente?

2. *Describe the area where you and your family live in your home country.*

   Describe la zona de tu país donde vives tú y tu familia.

3. *Tell me about the school or education your children had in your home country.*

   Cuéntame algo sobre la escuela a donde han ido tus hijos o sobre la educación que han ellos en tu país.

Control Questions:

1. *You seem to understand Spanish. Is there another language you speak more often with your family or children when in your home country?*

   Parece que entiendes el español. Cuando estás en tu país, ¿hablas con más frecuencia en otro idioma con tu familia o con tus hijos?

2. *Are you more comfortable speaking this languge? ?*

   ¿Te sientes más a gusto hablando este idioma ?

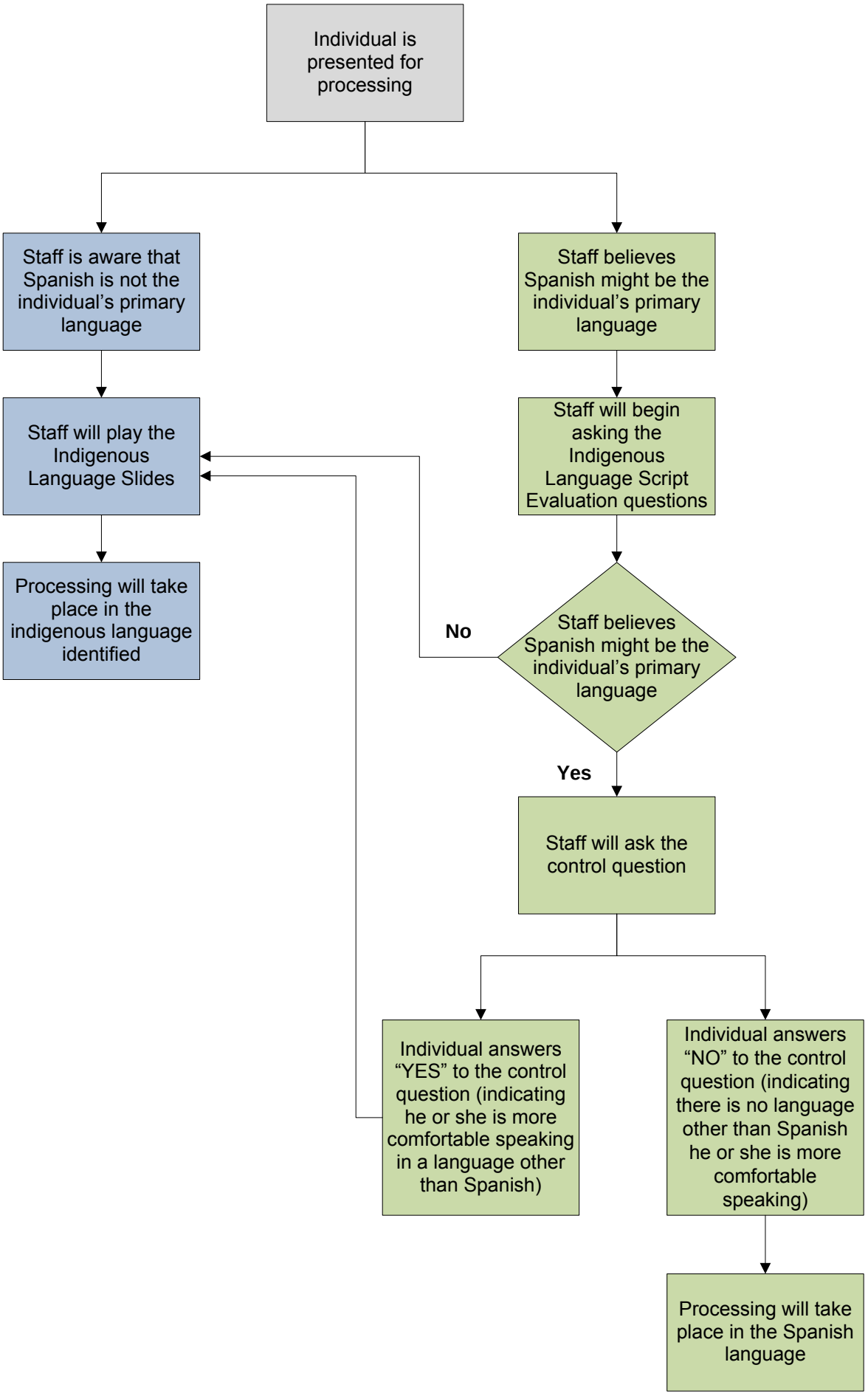
GURULE DECLARATION

EXHIBIT 7

Juvenile and Family Residential Management Unit

Indigenous Language Identification Process Flow

Updated November 9, 2015



GURULE DECLARATION

EXHIBIT 8

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Quechua

Kanpa shimi ima kakta yachanata ministinchikmi. Wasipi kashpa kanpa familiakunawan kay shimipi parlanakushpaka, alli lado makita wichayman churaylla.

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Mam

Qaja qo b'in tij alkye yol b'a'n tu'na. Q'injaw tb'a'n tq'ab'a qa a yol lu'wa nyolina ti'j tuky'l qa tarman.

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Q'anjob'al

Chi jochey chi jab' tzet tihejal chala. A pavor ihaj a watx' q'ab' tatol a jun thiej ti chal yul a na' yetoq a pamilia.

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

K'iche

Rajawaxik kaqeta'maj le qas ach'ab'al. Chab'ana' jun toq'ob', chayaka' le wikiq'ab' aq'ab' we are' wa' le ach'ab'al kakoj pa awochoch kuk' le ajupaja awech.

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Q'eqchi

Ajel ru taqa naw la Atinab'āl. Taqsii la nim Uk' cui' ain li Atinab'āl inka atinaa sa' la Cuochoch ric'in la Juncab'āl.

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Achi

Chirajawaxik kaqeta'maj rach'a'tem. Chayaka raq'ab chikaj we e ch'a'tem wa' kach'a'tibej ri'at.

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Awakateco

Tajwe'n copon tan taske'n yi mbi jilwutz yol na yolu'. Bne'u' pawor tak'enu' yi kabu' sbal tcyaj tetz jun techl yi ko ya'tz yi yol yi na yolu' xe yi najbilu' nka scyuch yi e' wunakilu' tu yi e' xonlu'.

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Chuj

Yowalil skab'i tas ti'al tzala´. Ik'cha'anh ha wach' k'ab' tato ha jun ti' tzab' tik haton tzal t'a yol a pat yet' heb' ha k'ab'hok.

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Popti

Kaw yilal yotajnhen heb' ya' b'aytet ha' wab'xub'al chah wala'. Xhko k'anh tah wet han tah cha wikanh ha' watx' tah ha' hune' tih ha' wab'xub'al chah wal yul ha' watut, sk'atan a mam ha' mi', wixal, k'ahol b'oj ha' kutz'in.

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Ixil

A' ni kusa' la' qootzii ab'iste ayolb'al. B'an b'a'nil, aq' je' aq'ab', tul la' aab'i vayolb'ale' uve' nayolb'e takab'al tuk' uq'a eetz'in aatzike'. A' vaseb'ale' la' aaq je'.

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Mixteco

Sxhiní ñu'uhu so kuni yu'u nchi sa'ahá ka'aha ní. Sa'aha ní ña maní ntane'ehe ní nta'aha ní sxhio kuaha tátu ña yo'oho ku'u sa'ahá ña ka'aha ní ve'ehe ní sxhi ta'aha ní.

Homeland Security

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Amharic

የአፍ መፍቻ ቋንቋዎን መለየት እንፈልጋለን። ይህ በቤትዎ ከቤተሰብዎ እና ጓደኞችዎ ጋር የሚያወሩበት ቋንቋ ከሆነ ፣ እባክዎ ቀኝ እጅዎን ያውጡ።

We need to identify your native language. Please raise your right hand if this is the language you speak at home with your family.

Tigrinya

ትዛረቦ ቋንቋ ኣደ ክንፈልጥ ኣለና። ኣዚ ቋንቋ ዚ ኣብ ሃገርካን ምስ ስድራበትካን ትዛረቦ ኣንተኾይኑ የማናይ ኢድካ ኣልዕል።

GURULE DECLARATION

EXHIBIT 9

Individual Declarants (obtained 5-12-16) Detained Beyond 20 Days

Exh. No.	Name	Location	Comments
21	Victor Rxxxxx-Xxxxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS's neg CF finding, affirmed by Immigration Judge. Request for review (RFR) denied. Final order, but for stay of removal granted by Third Circuit, could be removed.
23	Yeslin Lxxxx-Xxxxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF finding affirmed by Immigration Judge. Request for review (RFR) denied. Final order, but for stay of removal granted by Third Circuit, could be removed.
28	Celina Sxxxxxx-Xxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Request for Reviews (RFRs) denied. Final order, but for stay of removal granted by Third Circuit, could be removed.
29	Cesia Vxxxxxxxxx-Xxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Reqiest for Review (RFR) denied. Final order, but for stay of removal granted by Third Circuit, could be removed.
31	Kelly Gxxxxxxxx-Xxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Requests for Review (RFRs) denied. 3d RFR pending with USCIS. Final order, but for stay of removal granted by Third Circuit, could be removed.
32	Maria Mxxxxxxx-Xxxxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Requests for Review (RFRs) denied. Final order, but for stay of removal granted by Third Circuit, could be removed.
39	Karen Zxxxxx-Xxxxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Requests for Review (RFR) denied. Final order, but for stay of removal granted by Third Circuit, could be removed.
40	Allison Mxxxxx-Xxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Requests for Review (RFR) denied. Final order, but for stay of removal granted by Third Circuit, could be removed.
3	Steven Axxxxxx-Xxxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Final order, but for stay of removal granted by Third Circuit, could be removed.
3	Ludwin Cxxxxx-Xxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' negative CF affirmed by Immigration Judge. Request for Review (RFR) denied. Final order, but for stay of removal granted by Third Circuit, could be removed.

Individual Declarants (obtained 5-12-16) Detained Beyond 20 Days

Exh. No.	Name	Location	Comments
3	Estafany Mxxxxx-Xxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Final order, but for stay of removal granted by Third Circuit, could be removed.
3	Ashley Mxxxxx-Xxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Refused to be interviewed for TD. Request for Review (RFR) denied. Parole request denied. Final order, but for stay of removal granted by Third Circuit, could be removed.
3	Joshua Lxxxx-Xxxxxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Final order, but for stay of removal granted by Third Circuit, could be removed.
3	Jefferson Axxxxxx-Xxxxxxx	BFRC	Castro. Expedited Removal (ER), Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Final order, but for stay of removal granted by Third Circuit, could be removed.
54	Fany Mxxxxxxxxx-Xxxxxxxxx	BFRC	Expedited Removal - Mandatory Detention, negative Credible Fear (CF). USCIS' neg CF affirmed by Immigration Judge. Requests for Review (RFRs) denied. TD received, and removal scheduled. Removal cancelled.
30	Isamar Sxxxxxx-Xxxxxx	BFRC	Final Removal Order detained as flight risk. Immigration Judge ordered removed, family failed to appear. ICE apprehended for removal, family filed untimely appeal; stay granted by BIA. But for the stay granted by Board of Immigration Appeals, could be removed. 05/27/16: appeal dismissed.

DEFENDANTS' EXHIBIT 26

IN THE UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

JENNY LISETTE FLORES; *et al.*, Plaintiffs, v. LORETTA E. LYNCH, Attorney General of the United States; *et al.*, Defendants.	Case No. CV 85-4544-DMG

DECLARATION OF JOHN L. LAFFERTY

I, John L. Lafferty, hereby make the following declaration with respect to the above captioned matter:

1. I am Chief of the Asylum Division in U.S. Citizenship and Immigration Services (USCIS), in the U.S. Department of Homeland Security (DHS).

2. I make this declaration based on my personal knowledge and my review of official documents and records maintained by USCIS. If called to testify, I could and would do so competently.

3. The USCIS Asylum Division has undertaken extensive efforts to ensure compliance with this Court's August 21, 2015 order, by expeditiously processing credible fear and reasonable fear claims of individuals in U.S. Immigration and Customs Enforcement's (ICE's) South Texas Family Residential Center at Dilley, Texas (South Texas facility), the Karnes County Residential

Center in Karnes City, Texas (Karnes facility), and the Berks Family Residential Center in Leesport, Pennsylvania (Berks facility).

Current Fear Screening Process at the South Texas Facility, the Karnes Facility and the Berks Facility

4. Under current processing at the South Texas facility, the Karnes facility and the Berks facility, the Asylum Office receives a credible fear or reasonable fear referral from ICE, including all appropriate paperwork, within approximately 24 hours of an individual's arrival at the facility, or within approximately 24 hours of the individuals expressing a fear of return, whichever is later. Within approximately 2 days[1] of referral or prior to referral, DHS conducts an orientation for the individual during which DHS explains the credible fear or reasonable fear process, and provides the individual with the Executive Office for Immigration Review's list of free legal service providers who may be available to provide legal assistance if the individuals wish to utilize them. Interviews are generally scheduled within 3-5 days after orientation, allowing individuals an opportunity to seek representation, and meet with an attorney, accredited representative, or other chosen consultant (in the case of a credible fear interview) who may assist them in preparing for the credible fear or reasonable fear interview. Asylum officers generally interview no more than 3 individuals and their family members in the credible fear process per day, and no more than 2 individuals in the reasonable fear process per day. Within 1-3 days of the credible fear or reasonable fear interview, the determination is served on the individual. During that 1-3 day period, the asylum officer prepares a written fear determination to present to the supervisory asylum officer for review, the supervisory asylum officer completes review of the determination, and the determination documentation is prepared and served on the individual. A small number of cases are sent electronically to USCIS Asylum Division

[1] All timeframes in this section are calculated as calendar days.

Headquarters in Washington, DC for quality assurance review, which is normally completed the same day as receipt from the field. If the individual requests review by an immigration judge of a negative determination, the Asylum Office sends the service packet to ICE in the appropriate jurisdiction for service on the Executive Office for Immigration Review. This amounts to processing times of approximately 4-10 days from receipt of a referral from ICE, to service of a determination on the individual.

Actions Taken at the South Texas Facility and the Karnes Facility to Reduce Processing Times

5. USCIS significantly increased its footprint in the South Texas facility and the Karnes facility in terms of both staffing and space following this Court's order. Prior to this Court's August 21 order, the Asylum Division had been regularly filling at least 18 positions at the South Texas facility since April 2015: 11 asylum officers, 2 supervisory asylum officers, 4 support staff, and 1 team lead. In mid-September, the Asylum Division increased staffing at the South Texas facility by 9 asylum officers, 2 supervisory asylum officers, and 3 support staff, bringing the total number of Asylum Division staff on temporary duty assignment at the South Texas facility to 32 (20 asylum officers, 4 supervisory asylum officers, 7 support staff, and 1 team lead). When needed, the South Texas facility has had as many as 22 asylum officers working on site.

6. At the Karnes facility, beginning in mid-July 2015, the Asylum Division regularly filled 9 positions prior to this Court's August 21 order: 6 asylum officers, 1 supervisory asylum officer, and 2 support staff. In mid-October 2015, the Asylum Division increased staffing at the Karnes facility by 4 asylum officers, 1 supervisory asylum officer, and 1 support staff, bringing the total number of Asylum Division staff on temporary duty assignment at the Karnes facility to 15 (10

asylum officers, 2 supervisory asylum officers, and 3 support staff).[2] Accordingly, the Asylum Division currently has 47 positions at the South Texas facility and the Karnes facility that are regularly staffed by Asylum Division staff on temporary duty assignment. Asylum officers, supervisory asylum officers, and support staff have been diverted from all 8 asylum offices, as well as from Asylum Division Headquarters, to fill these temporary duty assignment positions. USCIS has required weekend overtime on three occasions and generally requires asylum office staff beginning a temporary duty assignment at the Texas family residential centers to travel on the weekends to minimize the number of work hours spent traveling.

7. The Asylum Division has additionally implemented operational changes to credible fear and reasonable fear processing at the Texas family residential centers to enable expeditious case processing. Since early October 2015, the Asylum Division has been requesting a hard copy of the necessary "triggering" documents as part of the credible fear or reasonable fear referral from ICE Enforcement and Removal Operations, rather than receiving these documents by email, which required additional time to download and print the documents. Additionally, since early October 2015, the Asylum Division has been providing ICE Enforcement and Removal Operations with positive credible fear and reasonable fear service packets so that ICE can serve all positive determinations in the South Texas facility and the Karnes facility. This enables asylum office support staff to focus on other tasks and enables ICE to conduct out-processing at the same time, thereby reducing overall processing times. In late September, asylum office staff began to send negative decision packets directly to the ICE Office of the Chief Counsel office with jurisdiction over the South Texas facility and the Karnes facility for service on the

[2] There is no team lead on site at the Karnes facility, however the South Texas facility team lead covers both locations and works closely with a supervisory asylum officer and ICE Enforcement and Removal Operations at the Karnes facility.

Executive Office for Immigration Review, which greatly reduced the average length of stay for detained families. Prior to this change, the asylum office provided negative decision service packets to ICE Enforcement and Removal Operations, to be sent to ICE Office of the Chief Counsel.

Actions Taken to Reduce Reasonable Fear Processing Times Nationally

8. The Asylum Division has made operational changes to reasonable fear case processing in all locations. While many of these steps were implemented to enable the Asylum Division to achieve a national average reasonable fear determination period of no more than 10 court days for detained individuals pursuant to the class action settlement agreement reached in *Alfaro-Garcia v. Johnson*, 4:14-cv-01775-YGR (N.D. Cal.),[3] these changes have also been implemented in, and thus have contributed to reduced case processing times in, the South Texas facility, the Karnes facility, and the Berks facility.

9. In early May 2014,[4] asylum officers switched from taking sworn statements in all reasonable fear interviews to a question and answer notetaking format. Removing the procedural requirement of taking sworn statements, which included reading back the entire statement to the individual and obtaining the individual's initials on every page, has allowed asylum officers to significantly reduce the length of reasonable fear interviews.

10. In early August 2015, all asylum officers began using a reasonable fear determination checklist, including written analysis, to document all reasonable fear determinations. The checklist replaces previous use of a written assessment. The checklist documents each step in

[3] The Court in *Alfaro-Garcia v. Johnson* granted final approval of the class action settlement agreement on October 27, 2015.

[4] This procedural change predates the *Alfaro-Garcia v. Johnson* settlement agreement.

the reasonable fear determination and enables asylum officers to conduct a streamlined analysis that is legally sufficient and consistent with program policy.

11. In mid-September 2015, the Asylum Division ceased requiring receipt of a complete A-file from ICE before USCIS took jurisdiction over a reasonable fear case. Instead, USCIS takes jurisdiction once it has received a proper referral package from ICE, consisting of either a fully executed Form I-851A or a fully executed Form I-871 (including the prior order of removal), and an indication (whether in oral, written, or electronic form) that the individual has made a fear claim during the reinstatement or administrative removal process.[5] Receipt of a proper referral package by USCIS commences the reasonable fear determination period.

12. Finally, in late September 2015, the Asylum Division adjusted its procedures to enable any asylum office staff to serve reasonable fear determinations. This frees up asylum officers to devote time to conducting interviews and preparing determinations. As noted previously, however, in the South Texas facility and the Karnes facility, ICE ERO officers serve all positive credible fear and reasonable fear determinations.

Updated Credible Fear and Reasonable Fear Statistics

13. The number of individuals placed in expedited removal proceedings who express a fear of return has continued to increase. In fiscal year 2015, the Asylum Division received approximately 48,052 credible fear referrals, and in fiscal year 2016 through May 15, the Asylum Division received approximately 52,258 credible fear referrals. With respect to individuals residing in ICE's family residential centers, the number of credible fear referrals rose from approximately 9,960 in fiscal year 2015, to approximately 21,433 in fiscal year 2016 through May 15. In fiscal year 2016 through May 15, the Asylum Division made approximately

[5] This definition of a "proper" referral package comes from Section III.B.1. of the *Alfaro-Garcia v. Johnson* settlement agreement.

19,517 positive credible fear determinations and approximately 1,205 negative credible fear determinations for individuals residing at the ICE family residential centers.

14. The number of individuals referred to the Asylum Division for a reasonable fear interview has also continued to increase. The Asylum Division received approximately 8,015 reasonable fear referrals in fiscal year 2015, and approximately 5,616 reasonable fear referrals in fiscal year 2016 through May 15. For individuals residing in ICE's family residential centers, the Asylum Division received approximately 379 reasonable fear referrals in fiscal year 2015, and approximately 542 reasonable fear referrals in fiscal year 2016 through May 15. In fiscal year 2016 through May 15, the Asylum Division made approximately 400 positive reasonable fear determinations and approximately 153 negative reasonable fear determinations for individuals residing at the ICE family residential centers.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 2, 2016

John L. Lafferty
Chief, Asylum Division

DEFENDANTS' EXHIBIT 27

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

JENNY LISETTE FLORES, et al., Plaintiffs, v. LORETTA E. LYNCH, Attorney General of the United States, et al., Defendants.	Case No. CV 85-4544-DMG **DECLARATION OF BRETT ENDRES**

I, Brett Endres, declare as follows:

1. I serve as the Supervisory Program Analyst for the Office of Planning, Analysis and Statistics (OPAS), within the Executive Office for Immigration Review (EOIR). I have worked in OPAS since March 2002. My job responsibilities include analyzing and generating statistical queries and reporting the results in response to requests from within EOIR, from other government agencies, and from the general public.

2. I have prepared this declaration with the goal of providing the Court relevant statistical data concerning immigration judges' review of U.S. Citizenship and Immigration Services' (USCIS's) credible and reasonable fear determinations in the hearing locations at Berks, Pennsylvania; Karnes, Texas; and Dilley, Texas. In preparing this declaration, OPAS has prepared queries similar to tables generated in Tabs B and C of the FY 2015 Statistics Yearbook focusing on credible and reasonable fear completions for the period from November 1, 2015 through May 24, 2016.

3. Between November 1, 2015 and May 24, 2016, 1,070 credible fear review proceedings and 114 reasonable fear review proceedings were completed before immigration judges in the above locations. The average processing time (the time between EOIR's receipt of a Form I-863, *Notice of Referral to Immigration Judge*, and the immigration judge's decision) for these cases was three days for credible fear proceedings, and three days for reasonable fear review proceedings. Below are details for each hearing location:

- ***Credible Fear Review***

Hearing Location	*Completions*	*Average Processing Time*
Berks	9	6 days
Karnes	562	2 days
Dilley	499	5 days
TOTAL	1,070	3 days

- ***Reasonable Fear Review***

Hearing Location	*Completion(s)*	*Average Processing Time*
Berks	1	6 days
Karnes	62	2 days
Dilley	51	4 days
TOTAL	114	3 days

4. Of the 1,070 cases in credible fear review proceedings, the immigration judge vacated USCIS's determination, and found a credible fear, 587 times. The immigration judge affirmed USCIS's determination, and found no credible fear, 480 times.

5. Of the 114 cases in reasonable fear review proceedings, the immigration judge vacated USCIS's determination, and found a reasonable fear, 78 times. The immigration judge affirmed USCIS's determination, and found no reasonable fear, 35 times.

I so declare under penalty of perjury.

BRETT ENDRES
June 1, 2016

DEFENDANTS' EXHIBIT 28

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

JENNY LISETTE FLORES; *et al.*, Plaintiffs, v. ERIC H. HOLDER, JR., Attorney General of the United States; *et al.*, Defendants.	Case No. CV 85-4544-DMG

DECLARATION OF JOSHUA G. REID

I, Joshua G. Reid, hereby declare that the following statements are true and correct to the best of my knowledge, information and belief:

1. I am an Assistant Field Office Director (AFOD) for U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) – Philadelphia Office. I have been employed as an AFOD with ERO since March 2016. As an AFOD, I oversee the day-to-day operations relating to the case management of aliens in custody at the Berks Family Residential Center (BFRC) and York County Prison. Prior to becoming an AFOD, I served as a Supervisory Detention and Deportation Officer (SDDO) at the ERO York sub-office from January 2012 until March 2016, and as a Deportation Officer from September 2008 to January 2012. I also worked as an inspector for the legacy U.S. Immigration and Naturalization Service (INS) from September 2000 until September 2003. After INS was decommissioned, I became an U.S. Customs and Border Protection (CBP) Officer from

April 2003 to September 2008, and served as a supervisor during the latter portion of this period. I have Bachelor of Science degree in Criminal Justice. The following statements contained in this declaration are based on my personal knowledge or on information provided to me in my official capacity.

2. BFRC opened in 2001 and is located in Leesport, Pennsylvania, approximately 65 miles outside of Philadelphia, and has a maximum capacity of 96 individuals.

3. The BFRC is a dormitory-style residential facility with sleeping quarters separated by sex and age. Juveniles age twelve and under are housed with a parent, while juveniles age thirteen and above are housed with other juveniles of the same sex and age range. Family units are normally housed on the same wing in order to promote family unity. Parents are expected to be responsible for their children and are encouraged to take an active role in their development. All medical services are provided by or approved by the ICE Health Service Corps (IHSC). All family units accepted for admission are medically screened upon arrival by a licensed nursing staff that is on site 24 hours a day, seven days a week and are provided medical and mental health care as needed.

4. The BFRC offers a family-friendly environment that includes several day rooms, TV and multiple recreation/ activity rooms, and a toddler play room. Additionally, there is a dining room, gym, and other free space where residents may socialize. The dining room offers a full-service soup, salad, and cold food bar. It also features milk and a variety of juices, and furnishes food for infants, including formula. In addition to the standardized menu, which includes hot meals, vegetarian and medically necessary diet choices are offered at each meal. Residents can also enjoy snacks outside the regular dining hours. There are refrigerators in the living areas that are restocked daily with juices, snacks, and milk, and

there is a microwave in each wing so residents may prepare food purchased from the commissary. The BFRC also has a law library, which has computers for resident legal research and word processing, and a social library that houses approximately 2,000 books, including children's stories, books in Spanish and other languages, and a selection of popular magazines. There are eight computers available in the social library for residents to use for general internet and email access and electronic reading. Colorful murals and pictures decorate the walls, and books, stuffed animals, board games, video games, movies, table games, fitness equipment, and cable TV are available for resident enjoyment.

5. The BFRC also provides educational services and recreational activities for its residents. All teachers at the BFRC are certified by the State of Pennsylvania. Classes run from 8:45 a.m. to 3:15 p.m., and children are placed based on their age and the results of their individual need assessments. Students participate in field trips to places of interest, including local parks, farmers markets, libraries, and universities. The BFRC also offers adult educational programming, to include English classes, and a volunteer work program. Residents can participate in daily scheduled recreational opportunities, including fitness classes and organized cooking and arts and crafts activities. Available to the residents are several children's play areas with age-appropriate commercial-grade play sets, bicycles for use on the outdoor campus, a soccer field, a basketball court, and a volleyball court. Residents may participate in basketball, volleyball, kickball, soccer, flag football, and tournaments, in addition to the physical education provided during the school day for children. The BFRC recreation department organizes monthly birthday parties, seasonal and holiday celebrations, and tri-weekly movie nights. Residents are also offered trips to a hair and cosmetic salon on a regular basis. The center also promotes community support to bring activities into the

BFRC for resident education and enjoyment such as nutrition classes, art lessons, and music instruction. There is also a chaplain who is available the residents and who proactively recruits other denominational representatives to provide services.

6. I have read the declarations submitted with Plaintiffs' Notice of Motion to Enforce Settlement and Appoint a Special Monitor, which was filed on May 17, 2016, and in response state as follows:

7. At BFRC, ERO adheres to ICE procedures and protocols regarding the detention of family units. Typically, families admitted to the BFRC have already undergone initial processing by another ERO office or by U.S. Customs and Border Protection, such that the families qualify for placement in a family residential center, have been issued the appropriate charging document, and have undergone an initial custody determination. Soon after arrival at the BFRC, ERO will review the family's alien files, briefly interview the Head of Household (HOH) in order to verify previously provided information, to include potential sponsors, and request that he or she complete an Emergency Contact Form, which the HOH may update at any time. Additionally, ERO will provide the HOH a list of legal service providers, as well as a notice with respect to taking legal advice. In those instances where the family has previously asserted a fear of return or has expressed a fear of return upon questioning by ERO at the BFRC, ERO will ensure the family's cases are referred to U.S. Citizenship and Immigration Services (USCIS) as soon as practicable for the appropriate screenings.

8. If a family at the BFRC is found eligible for release based on applicable guidance, regulation, or law, the release will be under the appropriate conditions and will take place in a safe and timely manner. Otherwise, ERO will affirmatively review on an ongoing basis

each family's cases for consideration of release, after affording the family an opportunity to provide information relating to, among other things, family ties in the United States, whether a relative/sponsor has a fixed address in the United States, and whether the family has a relationship with community organizations that may be available to aid in the family's placement. ERO will also conduct thorough and comprehensive reviews of all requests for release and parole filed by the families.

Notification of Legal Rights

9. Several declarants indicated that they were not notified of their legal rights while at BFRC. I am familiar with the legal right notifications provided at BFRC and can attest that all individuals are informed of their rights. The Pennsylvania Immigration Resource Center (PIRC), a volunteer legal aid organization, conducts legal orientation presentations for BFRC residents on a weekly basis, informing them of their rights, immigration court procedures, potential forms of relief available in immigration court, and the detention process. In addition to the weekly presentations, residents may speak with a PIRC representative by completing a sign-up sheet (Ex. 1) dedicated for this purpose. BFRC staff promptly notifies PIRC and coordinate a time for the resident speak with a PIRC representative via telephone. Additional information about residents' legal rights and the orientation program is provided in the BFRC Resident Handbook (Ex. 2), which is provided to each resident upon admission. Moreover, new residents are also specifically informed about PIRC's legal presentations at the time of their orientation to the BFRC.

10. Residents are also provided a list of pro bono counsel and low cost legal service providers (Ex. 3) upon admission to the center. The list of free legal service providers is also posted in the rooms used by residents to make telephone calls, the designated immigration court

area, and in the residential information center. Residents are able to contact legal service providers on the list at no cost using the ICE free access telephone system. Residents are also permitted to purchase phone cards that allow them to make phone calls to legal service providers, family, and friends without assistance from BFRC staff. If residents do not have the money to purchase a phone card and would like to contact their attorney, BFRC staff will arrange for them to make toll free calls. Telephone calls to legal providers are not monitored or recorded. Legal representatives are permitted to visit residents seven days a week between the hours of 8:00 am and 8:00 pm. Legal providers are permitted to visit their clients outside of these hours on a case by case and as-needed basis. In addition, if a G-28 is on file, BFRC will provide advance notice to counsel of transfers of residents except in unusual and compelling circumstances. Exhibits 4 through 14 are photos of postings of legal access information. Exhibit 4 shows all the sheets that are contained in the rest of the photos. These postings are contained in each resident phone room on the two floors accessed by the residents.

Notification of Rights Under *Flores*

11. Several declarants indicated that they were not specifically notified of their rights under the *Flores* case. To my knowledge, ICE (or legacy INS) has not provided the notice in Exhibit 6 of the Flores Settlement Agreement to accompanied children. However, ICE is committed to providing the Exhibit 6 notice and will be working to implement a procedure to provide the notice to accompanied minors at the BFRC.

Notification of My Case Status

12. Several declarants indicated that they were not notified of the status of their cases. ICE personnel at the BFRC regularly respond to verbal and written inquiries from the residents,

which include requests regarding the status of their immigration cases. In responding to such inquiries, ICE does not provide legal advice regarding the resident's immigration case. Residents in proceedings are also notified by the court of their next hearing date and, if they have a concern about when their next hearing date is, they can call EOIR's Automated Case Information Hotline at 800-898-7180 to obtain the date of their next hearing.

Complaints Regarding Observational Checks at Night

13. Several declarants indicated that "guards" shine flashlights on the residents several times (15 minute intervals) at night making it difficult to sleep. As an initial matter, there are no "guards" at the BFRC. Counselors are stationed throughout the facility to ensure the safety and security of residents and to assist them with any issues or needs. Observational checks are required by 55 Pa. Code § 3800.57(a) ("While children are at the facility, children shall be supervised during awake and sleeping hours by conducting observational checks of each child at least every hour") and are conducted on the residents throughout the day to ensure their safety and security. During overnight hours, BFRC staff conduct room checks every 15 minutes. BFRC implemented 15 minutes checks after consulting and agreeing with Pennsylvania Department of Human Services (PA DHS) that it would be a best practice. Room checks are performed by illuminating the floor or the ceiling of the housing area with a flashlight. The light is not directed at the residents. BFRC is currently working with PA DHS to change the nighttime room check requirements from every 15 minutes to once every hour. The proposed changes are currently pending approval by PA DHS. BFRC's Resident Room and Room Check Policies for 2014 and 2016 are attached. (Ex. 15 & 16). The 2014 policy is currently in effect. The 2016 document is a proposed policy and remains pending.

Children Must Sleep in Own Bed

14. Several declarants indicated that children cannot sleep in the same bed as their parents. This policy is required by PA DHS and is designed to help ensure the safety and security of the children. When BFRC previously requested clarification on this issue, PA DHS responded on June 25, 2015, that co-sleeping is not a safe practice and would violate 55 Pa. Code § 3800.53(b) ("The director shall be responsible for administration and management of the facility, including the safety and protection of the children, implementation of policies and procedures and compliance with this chapter.") . Notably, the parent's bed is immediately adjacent to their child's bed.

Food is Expired or Poor Quality

15. Several declarants indicated that the food served at BFRC is expired or of poor quality. Although some residents may not like some food items, BFRC provides its residents with quality and nutritional food. Attached are menus for the period May 29 - June 11, 2016. (Ex. 17) demonstrating that multiple dining options are available to residents. The BFRC also maintains strict sanitation and hygienic practices to ensure against contamination of the food and to meet governmental health and safety codes. Food supplies are inspected on a daily basis and, if determined to no longer be suitable for consumption, are immediately discarded. A registered dietitian must complete an analysis of the BFRC's food service program on an annual basis in order to determine whether the program is meeting the required nutritional standards. (Ex. 18) Additionally, officials from the Commonwealth of Pennsylvania Department of Agriculture, Bureau of Food, Safety and Lavatory Services inspects the BFRC's food service program twice a year (in March or April and in October or

November) to ensure sound nutritional, sanitary, and hygienic practices are maintained. To date, the BFRC's food program has passed all certifications and inspections. (Ex. 19).

Complaint that Same Washing Machines Used to Wash the Mops and Dirty Rags Are Used to Wash Residents' Clothes

16. Some declarants indicated that the same washing machines that are used to wash the mops and dirty rags are used to wash residents' clothes. Resident clothing and cleaning supplies are laundered in separate facilities within BFRC. Resident clothing is laundered using machines located on the third floor of the BFRC. Mops and cleaning towels are laundered using machines on the second floor. A sign (Ex. 20) is posted on these machines advising residents that they should not be used for purposes of washing their clothing. BFRC staff inspects all bedding to ensure it is properly laundered prior to being issued to residents. Soiled, or ripped bedding is not issued to residents. The BFRC contracts with a commercial cleaner to launder all linens, to include towels, bed sheets, and pillowcases.

Male and Female Residents Can Commingle at BFRC

17. Two declarants (Celina Sxxx-xxx, Plaintiffs Ex. 28 ¶ 22, and Karen Zxxx-xxx, Plaintiffs Ex. 39 ¶ 23) indicated that detained men are comingled with detained mothers and children at BFRC. The BFRC accommodates both male and female heads of households and their children. Inasmuch as the BFRC is an un-secured facility that does not restrict the movement of residents, male residents are permitted to comingle with female residents within program areas, to include activity rooms, day rooms, telephone rooms, and outdoor recreational areas. Both male and female residents are precluded from entering the bedrooms occupied by an adult of the opposite sex. They are also precluded from congregating in bedrooms, as there are many areas in the BFRC to relax with other residents for conversation. Moreover, anytime an unrelated child is present in a bedroom, adult

residents, regardless of his/her sex, must have staff supervision while in that bedroom if the child's parent is not present. Children may enter their parent's bedroom only in the company of their parents. BRFC's guidance on housing classifications is in the BFRC Resident Handbook at page 9 and listed in Exhibit 21. There are also separate shower rooms labeled according to gender (male and female). Children 9 years and older will shower according to their gender. Children 8 years and younger will shower only under the direct supervision of their parent. Notably, counselors are stationed throughout the center to ensure the safety and security of residents and to assist them with any issues or needs. Residents are also provided a handbook upon arrival, which outlines acceptable behavior and the consequences of inappropriate actions or behavior.

Children Could Have Been Placed with Family Member Residing in U.S.

18. A number of declarants indicated that ICE need not detain some children because they have another parent, family member, or friend living in the United States who could have taken care of them:

Victor Rxxx-xxx (Plaintiffs Ex. 21)

Walter Mxxx-xxx (Plaintiffs Ex. 22) (On March 4, 2016, Walter's mother submitted a request for release based on Walter's medical issues. The request was granted on March 11, 2016.)

Yxxx xxx xxx-xxx (Plaintiffs Ex. 23)

Cesia Vxxx-xxx (Plaintiffs Ex. 29)

Kelly Gxxx-xxx (Plaintiffs Ex. 31)

Maria Mxxx-xxx (Plaintiffs Exhibit 32)

Karen Zxxx-xxx (Plaintiffs Ex. 39)

Allison Mxxx-xxx (Plaintiffs Ex. 40)

Because both the mother and children were issued final expedited removal orders, they are subject to mandatory detention pending removal from the United States. *See* INA 235(b)(1)(B)(iii)(IV) (an alien "shall be detained … until removed."); *see also* 8 C.F.R. § 235.3(b)(2)(iii) (an alien issued an expedited removal order "shall be detained pending . . . removal."). Although ICE maintains limited discretion to parole aliens subject to expedited removal orders when "required to meet a medical emergency or is necessary for a legitimate law enforcement objective," these families failed to meet the noted exceptions and, therefore, did not warrant release. *See* 8 C.F.R. §§ 235.3(b)(2)(iii) (expedited removal process pending or expedited removal order issued). But for the grant of stays of removal – initially issued by the U.S. District Court for the Eastern District of Pennsylvania and now by the U.S. Court of Appeals for Third Circuit pending its review of the District Court's dismissal of the mothers' habeas petitions – the families would likely have been removed from the United States pursuant to the lawfully issued expedited removal orders.

Right to Receive a Bond Hearing

19. Two declarants (Victor Rxxx-xxx (Plaintiffs Ex. 21) and Allison Mxxx-xxx (Plaintiffs Ex. 40)) indicated that they did not know they were entitled to a bond hearing. Insofar as both residents and their mothers are the subjects of final Expedited Removal orders, they are statutorily ineligible for a bond hearing before an immigration judge. Their detention is governed under INA § 235(b). *See* INA § 235(b)(1)(B)(iii)(IV) (an alien issued an expedited removal order "shall be detained . . . until removed."); 8 C.F.R. § 235.3(b)(2)(iii) (an alien issued an expedited removal order "shall be detained pending . . . removal."). Although ICE maintains limited discretion to parole aliens subject to expedited removal when parole is "required to meet a medical emergency or is necessary for a legitimate law

enforcement objective," these cases failed to meet the noted exceptions and, therefore, did not warrant release.

INDIVIDUAL COMPLAINTS

20. In addition to the general complaints listed above, some declarants had individual complaints. I have addressed these complaints below.

21. Declaration of Walter Mxxx-xxx (Plaintiffs Ex. 22)

    a. Walter Mxxx-xxx indicated that during meals, BFRC locks the doors so residents must stay in the cafeteria. He stated "I know [the doors] are locked because they have to swipe a card . . . Even if the doors are unlocked, we cannot just leave because there are always guards by the doors."). (Plaintiffs Ex. 22 ¶14).

Response: Walter is mistaken. The cafeteria is open to the residents during three daily meal periods, namely breakfast (6:30 to 8:00 am), lunch (12:00 to 1:00 pm), and dinner (5:30 to 6:30 pm). The doors to the cafeteria are not locked during the meal periods, and residents can freely come and go as they chose. Also, there are no "guards" at the BFRC. Counselors are stationed throughout the center to ensure the safety and security of residents and to assist them with any issues or needs. The BFRC is an un-secured facility. Barring temporary restrictions due to medical or security reasons, residents can freely move within the program areas of the center without permission from staff, to include housing areas, day rooms, shower rooms, activity rooms, classrooms, the law library, telephone rooms, and outdoor recreational areas. Residents do not have access to certain areas of the center, such as the administrative office space for County and ICE officials, storage areas, and mechanical space. These restricted areas are accessible by BFRC staff and ICE personnel through the use of a swipe card.

22. Declaration of Celina Sxxx-xxx (Plaintiffs Ex. 28)

    a. Celina Sxxx-xxx has expressed a fear that if she leaves BFRC without permission "the guards would arrest me and take my son away." (Plaintiffs Ex. 28 ¶21)

Response: The BFRC is an un-secured facility where residents can freely move about within its non-restricted areas and its outdoor recreational spaces. Insofar as the residents are in ICE custody, they are prohibited from leaving the center and its grounds without authorization or supervision. If a resident were to leave BFRC without authorization, they could be considered a fugitive and subsequently may be arrested by ICE officers depending on the circumstances of their departure and their individual case. Residents are provided a Resident Handbook (Ex. 2) upon admission to the center, which states on page 28 that leaving the grounds of the center without permission is a major disciplinary offense. Potential discipline is covered on pages 24-25 of the handbook. There are no "guards" at the BFRC. There are counselors stationed throughout the center to ensure the safety and security of residents and to assist them with any issues or needs. These counselors do not have the authority to arrest a resident. Additionally, the counselors are without authority to remove a child from his/her parent, in the absence of clear conduct on the part of the parent that endangers the child's safety and security.

23. Declaration of Cesia Vxxx-xxx (Plaintiffs Ex. 29)

    a. Cesia Vxxx-xxx indicated the "staff here are not nice to us. They treat us like we have some kind of contagious disease. Some of them wear gloves when they think they have to touch us. They are not friendly or nice to us.") (Plaintiffs Ex. 29 ¶15).

Response: BFRC staff are committed to ensuring residents at the center are treated in a respectful, courteous, and professional manner. In accordance with proper sanitation and hygienic practices, BFRC staff utilize gloves when handling food, soiled laundry, trash, and other potential unhygienic materials. BFRC staff also exercise universal precautions and

utilize gloves when assisting residents with medical issues and when responding to any incident involving the possible discharge of bodily fluids.

24. Declaration of Isamar Sxxx-xxx (Plaintiffs Ex. 30)

    a. Isamar Sxxx-xxx indicated residents must clean the facility. (Plaintiffs Ex. 30 ¶28, 38)

Response: In accordance with the Family Residential Standards, residents are required to properly maintain their living areas within the center. Each adult resident is responsible for daily personal housekeeping to include straightening their bedroom, making their bed, picking up debris, and cleaning the floor, as well as cleaning their personal bathroom in coordination with their roommates. Personal housekeeping also includes participating in cleaning resident showers following a rotational schedule. Resident showers are not located within the bathrooms adjoined to their sleeping quarters. Adult residents are also allowed to participate in a Voluntary Work Program, which affords them the opportunity to work and receive compensation during their stay. Work assignments include food service, general building and ground maintenance, and housekeeping. Residents are compensated $1.00 per day, which is transferred to the residents' accounts on a weekly basis. *See* BFRC Resident Handbook – Personal Resident Housekeeping (pg. 20-21) and the BFRC's Housekeeping and Voluntary Work Program SOP (Ex. 22).

    b. Isamar Sxxx-xxx stated that she did not see a list of legal providers near the phone. She also stated that if she wanted to make a free call to the lawyers, she has to ask the caseworkers to call for her. (Plaintiffs Ex. 30 ¶32).

Response: Residents are provided a list of pro bono or low-cost legal service providers upon admission to the center. (Ex. 3) A list of free legal services is also posted within the rooms utilized by residents to make telephone calls, the designated court area, and in the residential information center. (Ex 4) Residents are able to contact legal service providers

on the list at no cost using the ICE free access telephone system. Additionally, residents are permitted to purchase phone cards that allow them to make phone calls to legal service providers, family, and friends without assistance from BFRC staff. Moreover, residents may also receive phone cards through the mail. If residents do not have the money to purchase a phone card and would like to contact their attorney, BFRC staff will arrange for them to make toll free calls. Telephone calls to legal providers are not monitored or recorded. Legal representatives are permitted to visit residents seven days a week between the hours of 8:00 am and 8:00 pm. Legal providers are permitted to visit their clients outside of these hours on a case by case and as-needed basis.

c. Isamar Sxxx-xxx indicated that her daughter was not allowed to take a chocolate drink out of the cafeteria. (Plaintiffs Ex.30 ¶34).

Response: BFRC residents may not take food outside of the cafeteria. This restriction is contained both in the BFRC Resident Handbook (pg. 17) and on signs posted in the cafeteria. (Ex. 23-26) There are kitchenettes on the same floors as the residents' bedrooms and activity rooms that contain fruit, snacks and drinks, to include milk. These items, which are routinely replenished, are available 24 hours a day.

d. Isamar Sxxx-xxx indicated that at 7:00 a.m. they start yelling that we have to get up and do a room check." (Plaintiffs Ex. 30 ¶ 35).

Response: In the morning starting at 6:30 a.m., the counselors will open the door to the residents' room for purposes of conducting a census and ensuring they have an opportunity to attend breakfast. Counselors will give a resident a verbal reminder at 7:15 a.m., if the resident appears to still be sleeping. Breakfast is scheduled from 6:30 a.m. to 8:00 a.m. to ensure it is within 14 hours of the evening meal, as directed by the Family Residential Standards. Residents can return to their rooms at any time of the day to rest and/or sleep.

e. Isamar Sxxx-xxx indicated that one time my daughter hid in my bed and the staff accused me of hiding her. They made me and my daughter go to see the psychologist. (Plaintiffs Ex. 30 ¶35).

Response: The reason for the restriction on children not sleeping with parents was explained above. The BFRC staff has no record of this alleged incident. Notwithstanding and as a general matter, while BFRC residents are offered the opportunity to speak with a mental health provider, they are not required to engage in such discussions.

f. Isamar Sxxx-xxx indicated that there are some places residents cannot go within the facility, that when residents go outside they have to have a staff member watch them, and after 8:00 p.m. residents are restricted from going downstairs and must stop using the computers. (Plaintiffs Ex. 30 ¶36).

Response: As stated in the BFRC Resident Handbook (pg. 10), "Barring temporary restrictions due to medical or security reasons, free movement hours are from 8:00am to 8:00pm each day. During this time, adult residents are allowed to move freely throughout all programing areas of the Center without first asking staff permission or notifying staff where they are going. Children age 10 and older may participate in free movement, when issued a pass by their parent. Children over 10 who do not currently have a pass and all children under 10 years old are expected to be under the direct supervision of their parent at all times when not in school or participating in an organized activity. Outside of free movement hours, residents are expected to remain on the bedroom floor. This floor has resident bedrooms, dayroom, law library, telephone room, medical department, bathrooms, a kitchenette with snacks and drinks, and shower rooms; all of which may be accessed freely 24 hours a day." In instances were residents utilize the outdoor recreational areas, BFRC counselors are present to ensure the safety and security of residents, particularly child residents.

25. Declaration of Kelly Gxxx-xxx (Plaintiffs Ex. 31)

a. Kelly Gxxx-xxx indicated that her son, now age 12, is in class a few hours a day with children who are eight or nine years old, and he gets bored. (Plaintiffs Ex. 31 ¶12).

Response: It is the policy of BFRC to ensure all children receive educational services and programming in accordance with Pennsylvania Educational Standards to the resident's level of development and comprehension while in a structured classroom environment. (Ex. 27) The teaching staff are certified to teach in accordance with Pennsylvania State regulations. Additionally, the teaching staff are "English as a Second Language" (ESL) certified or are enrolled in an ESL certification program. Teaching staff are provided ongoing training on cultural awareness and sensitivity and child development theory. A standardized educational assessment, using age appropriate testing tools, are utilized to determine each resident's educational level within three days of his or her arrival at the center. An educational plan is developed for each resident based on his/her individual educational level. Developmental levels are assessed and monitored, to include monitoring the academic progress of residents to determine the necessity to re-test every 90 days. Due to the varying academic abilities of students, classes often include children of different age levels. *See* the BFRC Educational Standards SOP (Ex. 27).

Upon his arrival at BFRC, Kelly Gxxx-xxx's son, Gary, was initially placed in a third through sixth grade classroom. However, after further evaluation of Gary's academic abilities, and after he displayed abilities that were more advanced than others in class, he was moved to the seventh through tenth grade room. Gary is currently being taught with the more advanced students and appears to be challenged, yet doing well.

b. Ms. Kelly Gxxx-xxx indicated her room is by the laundry room and employees do laundry at night and it's very noisy. (Plaintiffs' Ex.31 ¶13).

Response: At times, the BFRC staff has utilized the washing machines at night. However, neither the BFRC staff nor ICE personnel have ever received a complaint regarding the noise made by the washing machines. ICE will discuss this complaint with the BFRC to see if any mitigating actions can be taken to limit any loud noises emanating from the laundry area.

26. Declaration of Maria Mxxx-xxx (Plaintiff Ex. 32)

    a. Maria Mxxx-xxx indicated that she does not feel free to leave BFRC. (Plaintiffs Ex. 32 ¶14).

Response: BFRC is an un-secured facility; there are no physical impediments to a resident departing the facility. If a resident were to leave BFRC without authorization, however, they could be considered a fugitive and subsequently may be arrested by ICE officers depending on the circumstances of their departure and their individual case.

27. Declaration of Allison Mxxx-xxx (Plaintiff Ex. 40)

    a. Allison Mxxx-xxx indicated that guards bang on the doors at 6:30 a.m. (Plaintiffs Ex. 40 ¶18).

Response: There are no "guards" at the BFRC. Unlike a guard, the BFRC counselors are not law enforcement officers and have no arrest authority. Counselors are stationed throughout the center to ensure the safety and security of residents and to assist them with any issues or needs. In the morning starting at 6:30 a.m., the counselors will open the door to the residents' room for purposes of conducting a census and ensuring they have an opportunity to attend breakfast. Counselors will give a resident a verbal reminder at 7:15am, if the resident appears to still be sleeping. Breakfast is scheduled from 6:30 a.m. to 8:00 a.m. to ensure it is within 14 hours of the evening meal, as directed by the Family

Residential Standards. Residents can return to their rooms at any time of the day to rest and/or sleep.

b. Allison Mxxx-xxx indicated that residents are corralled in common areas all day long and after 8:00 p.m. residents are kept only on the second floor. (Plaintiffs Ex. 40 ¶18, 22).

Response: The BFRC is an un-secured facility. Barring temporary restrictions due to medical or security reasons, residents can freely move within the program areas of the center during free movement hours from 8:00am to 8:00pm each day to include housing areas, day rooms, shower rooms, activity rooms, classrooms, the law library, telephone rooms, and outdoor recreational areas without permission from staff. Residents do not have access to certain areas of the center such as the administrative office space for County and ICE officials, storage areas, and mechanical space. These restricted areas are accessible by BFRC staff and ICE personnel through the use of swipe-cards. Outside of free movement hours, residents are expected to remain on the bedroom floor. This floor has resident bedrooms, dayroom, law library, telephone room, medical department, bathrooms, a kitchenette with snacks and drinks, and shower rooms; all of which may be accessed freely 24 hours a day.

c. Allison Mxxx-xxx expressed concern about her bedtime, 9:00 p.m. no matter the day. (Plaintiff Ex. 40 ¶18).

Response: The Resident Handbook states, "The general bedtime for children 5 years to 18 years is 9:00 p.m. Sunday through Thursday. Lights are turned out 15 minutes after these bedtimes. There are no general bedtimes set for children on Friday and Saturdays. Parents are encouraged to continue (or develop) their children's bedtime routines while at the Center." The BFRC counselors will recommend that children go to bed at 9:00 p.m.;

however, it is ultimately within the control and discretion of the parent as to the time his/her child goes to sleep.

28. Declaration of Attorney Bridgett Cambria (Plaintiffs Ex. 3 ¶7).

    a. Attorney Cambria complains ICE denied summarily and without individual analysis all requests for release for the following clients:

       Steven Axxx-xxx (Cambria Decl. Ex. 3 ¶ 9.a)

       Ludwin Cxxx-xxx (Cambria Decl. Ex. 3 ¶ 9.b)

       Estefany Mxxx-xxx (Cambria Decl. Ex. 3 ¶ 9.c)

       Allison Mxxx-xxx (Cambria Decl. Ex. 3 ¶ 9.c)

       Ashley Mxxx-xxx (Cambria Decl. Ex. 3 ¶ 9.d)

       Joshua Lxxx-xxx (Cambria Decl. Ex. 3 ¶ 9.e)

       Jefferson Axxx-xxx (Cambria Decl. Ex. 3 ¶ 9.f)

Response: ICE conducts thorough and comprehensive reviews of all requests for release and parole. The families are subjects of final Expedited Removal orders and their detention is governed under INA §235(b). *See* INA §235(b)(1)(B)(iii)(IV) (an alien "shall be detained … until removed."); *see also* 8 C.F.R. § 235.3(b)(2)(iii) (an alien issued an expedited removal order "shall be detained pending . . . removal."). Although ICE maintains limited discretion to parole aliens subject to expedited removal when parole is "required to meet a medical emergency or is necessary for a legitimate law enforcement objective," these cases failed to meet the noted exceptions and, therefore, did not warrant release. 8 C.F.R. §§ 235.3(b)(2)(iii) (expedited removal process pending or expedited removal order issued).

29. An Index of Exhibits is attached to this declaration.

I declare, under penalty of perjury under 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on this 3rd day of June, 2016.

Joshua G. Reid
Assistant Field Office Director (AFOD)
Enforcement and Removal Operations – Philadelphia Office
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security

INDEX OF EXHIBITS

1. Sample PIRC Sign-Up Sheet
2. BFRC Resident Handbook
3. List Pro Bono Providers
4. Bulletin Board – Wide View
5. Bulletin Board – Telephone Information
6. Bulletin Board – Telephone Free Phone Calls
7. Bulletin Board – Telephone Access Spanish
8. Bulletin Board – Telephone Access
9. Bulletin Board – List of Numbers 1
10. Bulletin Board – List of Numbers 2
11. Bulletin Board – List of Numbers 3
12. Bulletin Board – List of Numbers 4
13. Bulletin Board – List of Numbers 5
14. Bulletin Board – List of Numbers 6
15. Policy 40.085, SOP – Observational Checks, Nov 1, 2014
16. Draft Policy 40.085, SOP – Observational Checks, Nov 28, 2014
17. Menu – May 29 to Jun 11, 2016
18. Dietitian Ltr, Aug. 6, 2015
19. Retail Food Facility Inspection Report, Apr 14, 2016 & Nov 9, 2015
20. Photo – Washing Machine
21. Housing Classification, Dec 7, 2015
22. Policy 12.010, SOP – Housekeeping and Voluntary Work Program, Dec 1, 2013
23. Sign Prohibiting Removal of Food from Dining Area
24. Sign Prohibiting Removal of Food from Dining Area
25. Sign Prohibiting Removal of Food from Dining Area
26. Sign Prohibiting Removal of Food from Dining Area
27. Policy 05.010, SOP – Education Standards, Dec. 1, 2013

Exhibit 1

Sign up to speak to P.I.R.C.

Hablar con P.I.R.C.

Name:	Date
[redacted]	
[redacted]	
[redacted]	

Exhibit 2

Berks Family Residential Center

Resident Handbook

1040 Berks Road
Leesport, PA 19533
610.396.0310

Table of Contents

INTRODUCTION 5
MAILING ADDRESS AND TELEPHONE NUMBER 5
THE RESIDENT INFORMATION CENTER 5
RESIDENT HANDBOOK 5
RESIDENT RIGHTS AND RESPONSIBILITIES 6
RESIDENT PROGRAM RULES 7
RESIDENT REQUESTS 8
CONTACTING IMMIGRATION 8
CASEWORKERS 9
LIVING ARRANGEMENTS 9
BEDROOMS 9
CHILDREN'S BEDTIMES 10
OVERNIGHT CHECKS 10
FREE MOVEMENT 10
OUTDOOR CAMPUS ACCESS 11
CHILDREN'S FREE MOVEMENT PASS 11
CLOTHING 11
CENTER CLOTHING ROOM 11
PURCHASING CLOTHING 12
INDIGENT RESIDENT CLOTHING 12
RESIDENT DRESS CODE 12
LINENS 12
LAUNDRY 13
PERSONAL HYGIENE 13
ALLOWABLE PERSONAL PROPERTY 13
WRITING INSTRUMENTS 14
GENERAL SAFETY/EVACUATION DRILLS 14
RESIDENT CENSUS 15
THE CENTER LAYOUT 15

MEALS 17
KITCHENETTES 17
SPECIAL DIETS 17
RELIGIOUS SERVICES 18
CHAPLAIN 18
MEDICAL SERVICES 18
EMERGENCY MEDICAL SITUATIONS 18
SICK CALL 18
DENTAL SERVICES 19
MENTAL HEALTH SERVICES 19
ROUTINE OVER THE COUNTER MEDICINES 19
MEDICATIONS 19
MEDICAL DEPARTMENT CONDUCT 19
MEDICAL CARE COMPLAINTS 20
SEXUAL ABUSE AND ASSAULT PREVENTION AND INTERVENTION 20
RESIDENT CHORES 20
TELEPHONE ACCESS 21
ICE FREE ACCESS TELEPHONE CALLS 21
INDIGENT RESIDENT TELEPHONE ACCESS 21
LEGAL ASSISTANCE TELEPHONE ACCESS 22
COMPLAINT AND GRIEVANCE PROCEDURES 22
EMERGENCY GRIEVANCE PROCEDURES 23
NON-GRIEVABLE MATTERS 23
STAFF MISCONDUCT 23
CONTRABAND 23
DISCIPLINARY PROCEDURES 24
DISCIPLINE HEARING APPEALS 25
DISCIPLINE PROCEEDING POSTPONEMENTS 25
CORRECTIVE SANCTIONS FOR CHILDREN 26

CORRECTIVE SANCTIONS FOR ADULTS 26
DESCRIPTION OF OFFENSES 26
LOW OFFENSES 26
MODERATE OFFENSES 27
MAJOR OFFENSES 28
EDUCATION 29
SPECIAL NEEDS INFORMATION 29
MARRIAGES 30
COMMISSARY 30
COMMISSARY GUIDELINES 30
FINANCES 30
VOLUNTARY WORK PROGRAM 31
VISITATION 31
DIRECTIONS TO THE CENTER 32
SOCIAL VISITATION 32
LEGAL AID VISITATION 32
CONSULAR VISITATION 32
VISITOR DRESS CODE 33
LEGAL INFORMATION 33
LAW LIBRARY / ACCESS TO LEGAL MATERIALS 33
MATERIALS PROVIDED BY LEGAL REPRESENTATIVES 33
LEGAL ORIENTATION PRESENTATIONS 33
FREE LEGAL ASSISTANCE 34
ROUTINE SANITATION AND SAFETY INSPECTIONS 34
NON-ROUTINE SEARCHES 34
SEARCHES OF PERSONS: 34
MAIL / CORRESPONDENCE 34
INDIGENT RESIDENT MAIL 35
SPECIAL CORRESPONDENCE 35
POSTAGE AND ENVELOPES 36

DISTRIBUTION OF INCOMING MAIL **36**
POSTING OF OUTGOING MAIL **36**
NOTARY PUBLIC **37**
PHOTOCOPIES **37**
MONEY ORDERS **37**
HAIR CARE SERVICES **37**
RECREATIONAL PROGRAM **37**
RECREATIONAL OFFERINGS **37**

INTRODUCTION

The Berks Family Residential Center (The Center) is contracted by U.S. Immigration & Customs Enforcement (ICE) and is operated by the County of Berks under an Intergovernmental Service Agreement. The Center's mission is to allow families to remain together while in ICE custody in the least restrictive setting available while enforcing rules necessary to ensure the safety and well-being of residents and staff alike. Decisions on immigration related matters and any determination to release residents from the Center or remove them from the United States is the responsibility of ICE, not Berks County. The Juvenile and Family Residential Unit (JFRMU) monitors activity at this Center. JFRMU is a unit within U.S. Immigration and Customs Enforcement and is responsible for all operations where ICE families are housed. The JFRMU officer at this site is responsible for monitoring the health, safety and security of residents placed here. This officer ensures the Center is in compliance with federal standards relating to a variety of topics including food service, sanitation, medical care, visitation, and legal rights. The JFRMU officer welcomes resident conversation concerning these and other Center issues.

MAILING ADDRESS AND TELEPHONE NUMBER

Berks Family Residential Center
1040 Berks Road
Leesport, PA 19533
610-396-0310 x2400

THE RESIDENT INFORMATION CENTER

The Resident Information Center is located by the dining room on the bedroom floor and is freely accessible 24 hours a day. Forms and mailboxes are located there relating to legal assistance, ICE communication requests, grievances, sick call, mail, commissary, case worker assistance, recreational activities, a copy of the current resident handbook and required postings among other things.

RESIDENT HANDBOOK

The purpose of this handbook is to provide residents with specific rules, regulations, policies and procedures that must be followed while residing at the Center. The handbook will also provide a general overview of the programs and services offered at the Center. Upon admission to the Center, each family is provided with a copy of the resident handbook. It is your responsibility for you and your family to become familiar with the contents of this handbook and to ask staff questions if there is anything you do not understand. Questions may be directed to any of the staff or ICE. A copy of the current resident handbook is also posted at the Resident Information Center.

Occasionally, changes need to be made to the resident handbook. When this occurs, residents will be given the updates and the updates will also be posted at the Resident Information Center.

RESIDENT RIGHTS AND RESPONSIBILITIES

It is Center policy to treat residents with dignity and respect while maintaining a safe, secure, and sanitary residential center. It is expected that staff will receive your full cooperation while you reside here. Although staff may not know newly admitted residents by name, they are always expected to address you in an appropriate and respectful manner. You are expected to address other residents and staff in the same manner.

- You have the right to be informed of the rules, procedures and schedules concerning the operation of the Center. You have the responsibility to know and abide by them;
- You have the right to freedom of religious affiliation and voluntary religious worship. You have the responsibility to recognize and respect the rights of others in this regard;
- You have the right to contact your consulate or embassy and have those officials call and visit you during your stay at the Center. See the sections on telephone usage and visitation for more information;
- You have the right to receive regular health care, nutritious meals, proper bedding and clothing, an opportunity to shower regularly, hygiene products, proper indoor climate control, and regular exercise opportunities among other things. It is your responsibility to seek medical care as needed, to not to waste food, to follow the laundry schedule, to maintain proper hygiene and keep your living quarters clean;
- You have the right to protection from personal abuse, corporal punishment, unnecessary and excessive use of force, personal injury, disease, property damage and harassment;
- You have the right to freedom from discrimination based on race, religion, national origin, sex, handicap or political beliefs;
- You have the right to pursue grievances in accordance with written procedures outlined in this handbook;
- You have the right to due process, including the prompt resolution of administrative disciplinary matters as outlined in this handbook;
- You have the right to unrestricted and confidential access to the courts;
- You have the right to pursue legal assistance at no cost to the United States Government;
- You have the right to use the law library. You have the responsibility to use those resources responsibly and to respect the rights of other residents in the use of the space and materials;
- You have the right to freely correspond with persons or organizations;

- You have the right to have family members and friends visit. You have the responsibility to conduct yourself properly during visits;
- You have the right to take advantage of activities and programing, which may aid in an enjoyable stay at the Center. You have the responsibility to abide by the rules governing the use of such activities and programs;
- School aged children have the right to attend school and receive instruction equal to that of their peers. You have the responsibility to ensure children attend school and study for assigned class work and homework;
- Children have the right to participate in all age appropriate activities and programing when not in school. You have the responsibility to encourage them to participate in leisure activities, ensure they abide by all Center rules including respecting the personal space of others and refraining from bullying behavior.

RESIDENT PROGRAM RULES

- Follow the directives that are given by the Center staff;
- Wear your Center identification card in plain view at all times, except when directed by staff;
- Treat all residents and staff with respect and courtesy, regardless of race, religion, ethnicity, gender or age;
- Attend to the physical and emotional needs of your children while modeling appropriate behavior;
- Monitor your child's behavior and use only approved behavior modification techniques when necessary. Corporal/ physical punishment is prohibited;
- Do not file knowingly false complaints, grievances or other reports;
- Do not speak disrespectfully, or be verbally or physically aggressive towards other residents or staff. Should you encounter others displaying this behavior, report it immediately to staff;
- Do not have physical or intimate contact with your spouse or other residents or staff while at the Center. See the section on sexual abuse and assault prevention for more information;
- Do not possess contraband while at the Center;
- Respect the rights of other residents and staff;
- Do not take or borrow other residents' property;
- Comply with census procedures;
- Perform assigned chores;
- Maintain proper hygiene;
- Clean your bedroom and private bathroom every morning;
- Complete your laundry on the assigned day;
- Conduct yourself in an orderly manner during meals, clear your immediate area after each meal and ensure your children's area is also cleaned;

- For students- follow classroom rules that are established by the teachers and the Center staff;
- Promptly report broken items or damaged property to staff;
- Alert staff immediately of any problems or concerns;
- Ask staff if you do not understand or remember Center rules;
- Abide by the room visitation policy. See the section concerning bedrooms for more information;
- Do not borrow or trade clothing, hygiene products, jewelry or make-up;
- Do not deface or otherwise damage Center property;
- Comply with the dress code found in this handbook;
- Do not use tobacco products, alcohol or gum;
- Do not waste food;
- Do not use profanity.

Failure to follow the above rules may result in the initiation of disciplinary proceedings. Serious and/or continuous infractions may lead to a review of your continued suitability for placement in this residential setting. See the section on disciplinary procedures for more information. Residents who act in an aggressive manner and/or attempt to cause harm to themselves or others, may be passively restrained under the Center restrictive procedure policy to protect themselves and others.

RESIDENT REQUESTS

Generally, residents can have questions answered and obtain services merely by speaking to staff. For those who would rather request information formally, the official method is by completing a Resident Request form. These forms are available at the Resident Information Center. Please complete all the information requested on the forms. You may obtain assistance from another resident or staff member in preparing your request form. Completed forms are to be placed in the mailbox labeled “Requests” located at the Resident Information Center. These forms are collected each business day and routed to a caseworker for resolution. This procedure is not to be used for submitting formal grievances. See the section on grievance procedures for more information.

CONTACTING IMMIGRATION

ICE staff are assigned to your immigration case and conduct announced and unannounced (not scheduled) visits to the Center. The purpose of these visits is to speak to residents about their immigration concerns and observe living conditions. You may visit with ICE during their announced visits and also submit written questions, requests or concerns to them by completing an ICE communication form. These forms are available at the Resident Information Center. Completed forms are to be placed in the mailbox labeled “ICE. These forms are collected each business day and routed to ICE without

being read or altered. You may obtain assistance from another resident or staff member in preparing your request form. The ICE staff receiving your request form will respond to you. ICE officers are the only staff who can answer immigration related questions. See the posted ICE visit schedule at the Resident Information Center. The county staff, in blue shirts and tan pants/shorts you interact with at the Center cannot answer any immigration related questions.

CASEWORKERS

Each family admitted to the Center is assigned a specific caseworker, although questions may be directed to any of the caseworkers as needed. These caseworkers assist residents with questions regarding rights, rules, responsibilities, programing and services, housing and education, property issues, access phone numbers and addresses of family and friends, treatment referrals and other issues that arise while living at the Center. Residents may contact the caseworkers in their office on the activity floor during free movement and through the use of a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests". Signup sheets for hair care services, legal aid assistance and phone calling cards among other items are located outside of the caseworkers' office.

LIVING ARRANGEMENTS

Residents are expected to share common equipment such as telephones, televisions, tables, recreational games and other equipment. Quiet hours are from 10:30am to 6:30am on weekdays (Sunday night through Thursday night) and at 12:00 midnight to 6:30am on weekends (Friday and Saturday night) and holidays. During quiet hours residents are expected to refrain from activities which would disturb the sleep of others.

BEDROOMS

Children 12 years and under will be assigned a bedroom with their parent. Children 13 years and over will be assigned a bedroom with other children of the same gender and like age. Each resident is provided with their own bed. Residents should make their beds and straighten up their immediate area each morning. When not in use, beds should remain made. Beds are not to be moved. Due to the communal nature of the Center, where children from different families may room together, and non-related adults room together, residents must abide by the following room visitation policies to ensure the privacy and safety of all residents: Anytime an unrelated child is present in a bedroom, adult residents must have staff supervision while in that bedroom. Children may enter their parent's bedroom only in the company of their parents. As there are many areas in the Center to relax with other residents for conversation, adults are not allowed to congregate in bedrooms. Residents are permitted to decorate their rooms with personal items, so long as the decorations do not present a health or safety hazard, do not peel paint off the walls or otherwise deface Center property. No items are allowed to cover

the light fixture, doors or windows. Items are not to be hung from vents or beds. Due to the communal nature of the Center, residents are encouraged to only change their clothes in the shower rooms or in their bathroom. Approved property will be stored inside assigned bedroom closets. See the section on allowed personal property for more information. Closets shall be kept organized. No open food or drinks are allowed to be stored in bedrooms. Unopened commissary purchases may be stored in bedrooms provided they are kept in a closed bin to discourage pests. All hygiene items must be stored hygiene boxes and kept in assigned bedroom closets. Toys are allowed in bedrooms during free movement hours. After free movement, all toys must be taken back to the common areas so that they can be sanitized for the following day. See the section on free movement for more information.

CHILDREN'S BEDTIMES

Children's bedtimes were set to promote a routine for the Center children and to allow for their restful attendance in class. The general bedtime for children 4 years and younger is 8:30pm Sunday through Thursday. The general bedtime for children 5 years to 18 years is 9:00pm Sunday through Thursday. Lights are turned out 15 minutes after these bedtimes. There are no general bedtimes set for children on Friday and Saturdays. Parents are encouraged to continue (or develop) their children's bedtime routines while at the Center.

OVERNIGHT CHECKS

State regulations require staff to conduct room checks at a minimum of every fifteen minutes during each overnight to ensure resident safety. During these checks staff is required to shine a flashlight into your room; the checks will be done with as little disruption as possible.

FREE MOVEMENT

Barring temporary restrictions due to medical or security reasons, free movement hours are from 8:00am to 8:00pm each day. During this time adult residents are allowed to move freely throughout all programing areas of the Center without first asking staff permission or notifying staff where they are going. Children age 10 and older may participate in free movement, when issued a pass by their parent. See the section on free movement passes for more information. Children over 10 who do not currently have a pass and all children under 10 years old are expected to be under the direct supervision of their parent at all times when not in school or participating in an organized activity. Outside of free movement hours, residents are expected to remain on the bedroom floor. This floor has resident bedrooms, dayroom, law library, telephone room, medical department, bathrooms and shower rooms; all of which may be accessed freely 24 hours a day.

OUTDOOR CAMPUS ACCESS

The outdoor campus is open from 8:00am to 8:00pm or dusk, whichever is earlier. Outdoor recreation activities include soccer, tether ball, volleyball, and badminton and toddler activities. Outdoor recreation equipment (bikes, balls, jump ropes, hoops etc.) may be borrowed from the cart in the lobby of the recreation door. These items must be returned prior to going back inside the Center. Residents must report any loss or breakage to staff so the equipment stays in good working order and is replaced as needed. Drinking water and bathrooms are accessible while outside. To access the outdoor campus, residents must first notify staff near the recreation door then may exit out the recreation door without waiting for staff to accompany them. This is the only door that residents may use without being accompanied by staff (except in emergency situations). Staff will join residents who are outside to monitor their safety. When not participating in an organized activity, residents must stay within the boundaries of the post and rail fence. Should you need to leave this area, to retrieve a ball, etc., you must first notify staff supervising the area. Access to the outdoor campus may be temporarily suspended due to environmental conditions or for security reasons.

CHILDREN'S FREE MOVEMENT PASS

Children 10 years and older may receive a free movement pass from their parent which allows them to participate in the free movement program. This pass may be given, suspended and reinstated by the parent at any time of their choosing. Residents not receiving free movement passes for their children at admission should see a caseworker to obtain the passes.

CLOTHING

Residents must be properly dressed when outside of their bedrooms. See the section on resident dress code for more information. Each resident is allowed to keep 10 sets of personal clothing in their rooms. Children newborn to age 5 years may have 12 sets. These sets may be clothing you brought to the Center, clothing provided by the Center or clothing you purchased during your stay. Underwear, bras and socks will be exchanged as needed. Residents in need of new underwear or clothes should speak with staff or submit a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests". Residents will not be allowed to have more items than those listed above, except when authorized by the Executive Director.

CENTER CLOTHING ROOM

Residents not arriving at the Center with a suitable amount of seasonally appropriate clothing, they may borrow clothing from the Center clothing room to use during their stay. There is no charge for clothing taken from the Center clothing room, but all clothing borrowed must be returned prior to departure. Ask staff to use the clothing

room, speak to your caseworker or submit a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests". .

PURCHASING CLOTHING

Clothing is available for purchase at the Center commissary. If a resident cannot find suitable clothes utilizing the above avenues, they will be allowed to purchase them from a store in the local area.

INDIGENT RESIDENT CLOTHING

The Center will provide clothing to indigent residents who did not arrive at the Center with a suitable amount of seasonally appropriate clothing. Speak with your caseworker or submit a Program Request form if you are in need of clothes. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

RESIDENT DRESS CODE

Residents 5 years and older:

- Residents must wear tops that cover their shoulders, chest, stomach and lower back.
- Tops cannot be worn where cleavage is exposed.
- Form fitting shirts/tops are not permitted.
- See through clothing is not permitted
- All types of undergarments are permitted as long as they are not visible in any area or at any time.
- Form fitting pants and shorts are not permitted.
- Shorts should not be any higher then mid-thigh.
- Dresses and skirts are not permitted, unless approved for religious reasons.
- Shoes or sandals must be worn at all times
- If an article of clothing is deemed inappropriate during the day it is still inappropriate for nighttime/sleeping hours.
- Stud earrings, religious based necklaces and wedding bands are the only items of jewelry permitted.

LINENS

The following linens are provided to each resident upon admission to the Center:

- 2 sheets,
- 1 pillowcase,
- 1 blanket,
- 1 laundry bag

These linens will be exchanged for clean linens once a week, or more frequently as needed. Speak with staff should an occasion arise when you need clean linens outside the normal exchange day.

LAUNDRY

Laundry services are available 7 days a week. Each family is scheduled to wash their laundry on an assigned day. The laundry schedule is posted near the laundry room door on the bedroom floor. In the event clothing become soiled between scheduled laundry times, ask staff for additional clothing and/or to be given additional time to wash laundry. See staff at the bedroom floor courtesy desk for machine soap and machine use instructions. Report any machine issues to staff at the bedroom floor courtesy desk.

PERSONAL HYGIENE

At the Center, you will be living in close proximity with other families, so personal hygiene is essential. You are expected to bathe regularly and keep your hair clean. Upon arrival to the Center each resident was issued hygiene products. These items may be replaced as needed by submitting a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests". You are also allowed to purchase hygiene items from the Center commissary. Feminine hygiene items are available in the female shower room on the bedroom floor. Residents have free access to showers during free movement hours, 7 days a week. Should you need to shower at other than free movement times, speak to staff. The shower rooms are labeled according to gender (male and female). Children 9 years and older will shower according to their gender. Should your child need assistance and is older than 9, see staff for accommodations. Children 8 years and younger will shower only under the direct supervision of their parent so as to not disturb other residents using the shower room. Adults may wear their own make-up. All make-up must fit in a hygiene box or it will need to be placed in storage. Razors are available at any time by speaking with staff at the bedroom floor courtesy desk. Residents will exchange their Center identification for a razor and return it to the courtesy desk staff immediately after use. Nail clippers and tweezers are available through the Center commissary.

ALLOWABLE PERSONAL PROPERTY

While at the Center, you are permitted to retain in your bedroom:

- 10 sets of clothes per resident as described above;
- Personal hygiene items;
- Legal documents, legal papers and legal Information;
- Photos;
- Medical prostheses, (i.e. eyeglasses, dentures, etc.);

- Personal reference materials, (i.e. address/phone book and/or list of relatives, friends and/or other correspondence);
- Religious items (approval by the Center chaplain required). See the chaplain section for more information;
- Newspapers, magazines, books and other literature (limited to any combination of 3 at a time to ensure accumulations do not produce and/or effect fire safety standards);
- Items listed on the commissary work sheet;
- Artwork, crafts etc. that you have accumulated during your stay at the Center.

Any items not included on this list will be considered contraband. Additional personal property must be approved by the Program Director prior to purchase/possession.

WRITING INSTRUMENTS

Residents over 12 years shall be issued a pen and pencil for their personal use while residing at the Center. Children 5 years to 11 years shall be issued a pencil for personal use while residing at the Center. Parents are responsible for the pens and pencils issued to their children. Broken and lost pens and pencils may be exchanged for new ones by speaking to staff or completing a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests". Writing paper is available at the activity and bedroom floor courtesy decks or by completing a Resident Request form. Arts supplies (colored pencils, crayons) are available at the activity floor and bedroom floor courtesy desks. Parents must supervise young children using art supplies so as to not deface Center property. Residents may also purchase writing instruments and paper through the Center commissary.

GENERAL SAFETY/EVACUATION DRILLS

Center staff makes every effort ensure the safety of all residents and staff. Residents also have a responsibility for aiding in their family's safety in the following ways:

- Clean up your and your family's spills or request staff assistance to do so;
- Pay attention to posted warnings, such as wet floor signs and use reasonable care when in these areas;
- Notify staff immediately if a fire, emergency or other possible hazard is observed.

During an emergency, loud alarms may sound and bright lights may flash. At these times, residents must refrain from conversation unless it is directed to staff and concerns the immediate issue at hand. Your and your family's safety depends on your ability to hear, understand and follow staff direction during an emergency. During an emergency, staff is required to evacuate all residents and staff to a predetermined outdoor evacuation location. Staff will confirm everyone has left the building by counting the residents and staff when they arrive at that location. If your children were not in your presence when the emergency occurred, you will reunite with them at the outdoor evacuation location.

The outdoor evacuation location is next to the resident soccer field. Please familiarize yourself with the diagram posted at the recreation door which shows the location of the outdoor evacuation location. There are exit diagrams posted around the Center which show the location of all emergency exits. Study these diagrams carefully and become familiar with their locations. Should an emergency occur and you are near a fire exit, do not wait for staff – go down the fire exit to the outdoor evacuation location and wait for staff to arrive. Per local, state and federal laws, the Center is required to perform evacuation drills. The Center performs several drills each month, at varied times of the day and night. These drills are not designed to inconvenience residents, but rather to comply with regulations and ensure resident and staff safety in the case of an actual emergency. Parents should advise and discuss these drills with their children.

RESIDENT CENSUS

At this Center, resident accountability is done through residents reporting for censuses 3 times during each 24 hour period. Census times are:

6:30am TO 7:30am
3:00pm TO 4:00pm
7:30pm TO 8:00pm

Residents will report to the bedroom floor courtesy desk as family units during the times listed above. If residents are at an appointment near the close of the census time, the staff supervising the appointment will report the resident's location. Residents who do not check in properly during census will be counseled regarding the requirement.

THE CENTER LAYOUT

The Center is comprised of two floors and an outdoor campus. The first floor, where you first entered the Center is the activity (A) floor and the second floor is the bedroom (B) floor. The outdoor campus is outlined by a post and rail fence.

Activity Floor (A Floor):

- Center Administration
- Visitation
- Court
- Library
- Internet Café
- Children Education
- Chapel
- Caseworkers' Office
- Supervisors' Office
- Adult Education
- Phone Room
- Indoor Recreation Room
- Resident Fitness Room
- Toddler Room
- Art and Activity Rooms
- Movie Room
- Additional Laundry (use with supervisor approval)
- Additional Showers (use with supervisor approval)
- Day Room
- Game Closet

- Kitchenette
- Table Games
- Outdoor Campus

Bedroom Floor (B Floor):

- Bedrooms
- Phone Room (open 24/7)
- Law Library (open 24/7)
- Day Room
- Game Closet
- Table Games
- Dining Room
- Medical Clinic
- Showers
- Laundry
- Kitchenette

MEALS

All menus are designed to be nutritionally balanced and are approved by a certified dietician. Residents are provided 3 meals each day in the dining room, located on the bedroom floor:

Breakfast 6:30am -8:00am
Lunch 12:00pm -1:00pm
Dinner 5:30 pm – 6:30 pm

Seating in the dining room is not assigned. Residents may sit wherever they desire for each meal. High chairs and booster seats are available in the dining room. Small children are expected to be seated during meals to encourage sound eating habits. Residents are required to be present in the dining room from:

7:30am to 8:00am
12:00pm to 1:00pm
5:30pm to 6:30pm

Utensils and trays used in the dining room are not disposable. At the end of each meal, residents are required to clear their family's immediate area and return all utensils and trays to be cleaned. Residents are allowed unlimited trips to the self-service bars in the dining room, and it is your responsibly to eat what you take, to reduce food waste. All food or drink must be consumed during the meal – no food or drink may be taken from the dining room.

KITCHENETTES

Fruit, snacks and drinks are available 24 hours a day at the activity and bedroom floor kitchenettes. Residents are not allowed to take more food or drinks from the kitchenettes than they will consume at one sitting. This food is replenished several times a day so there is no need to hoard kitchenette food.

SPECIAL DIETS

Therapeutic/medical diets shall be prepared and provided according to the orders of the Center medical department physician. Religious diets shall be prepared and provided for residents whose religious beliefs require the adherence to religious dietary laws. Residents are required to meet with the Center Chaplain for religious diet approval. See the section on the Chaplain for more information.

RELIGIOUS SERVICES

All residents have access to religious resources, services, instructions and counseling while residing at the Center. These services include individual counseling, group prayer, Bible study and various church/worship services. These onsite religious services are provided through outside religious organizations and community volunteers. The Center Chaplain addresses all questions or concerns regarding religious opportunities or practices and will assist in obtaining materials on various faiths and may be able to facilitate visits by ministers of particular faiths. Outside religious persons may also freely visit with residents either by appointment made by the Chaplain, or during visitation hours. See the section on visitation for more information. There is a nondenominational chapel on the activity floor which is open during free movement hours for all residents to worship. Should you wish to worship at other than free movement hours, speak with the chaplain and he will make arrangements if possible. A schedule of scheduled services is posted at the Resident Information Center and outside the chapel. These services are open to all who wish to attend and are only limited by the occupancy of the chapel. If this occurs, additional arrangements will be made. In some situations, it is possible for residents to go off site for religious services. Should you wish accommodation such as for special religious observances, speak to the Chaplain who will coordinate the request if possible.

CHAPLAIN

The Chaplain is available at the Center Monday through Friday, from 9:00am to 3:00pm and by appointment. Residents may request appointments with the Chaplin by speaking with him, or by completing a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

MEDICAL SERVICES

We want you to be healthy during your stay. The Center provides appropriate and necessary health care on site 24 hours a day in the medical clinic located on the bedroom floor. The Center medical clinic is run through the U.S. Public Health Service, by the division called Immigration Health Services Corps.

EMERGENCY MEDICAL SITUATIONS

If you ever feel that you are having a medical emergency and/or need immediate medical attention while at the Center, notify any staff member and medical will respond. If you cannot go to staff due to your medical situation, request any resident in the area to alert staff to help you.

SICK CALL

Sick call forms are no longer used at this facility. If you need to request an appointment for medical or mental health care, please report to the medical clinic between 7:30 AM and 8:00 AM, seven days a week. Please report to the staff located in front of the clinic and bring your ID card.

DENTAL SERVICES

Upon admission, all residents are given an initial dental examination by medical staff. Additionally, all children receive a full dental cleaning within one month of admission. Adult residents who reside at the Center for at least 6 months receive a full dental cleaning. Any dental issues identified during the initial dental examination and/or cleaning will be scheduled for additional dental services. Additionally, any resident experiencing new dental issues during their stay should submit a sick call slip as described above or if urgent, immediately notify staff for medical attention. Examples of dental urgencies are dental infections, painful teeth, facial swelling and trauma to teeth.

MENTAL HEALTH SERVICES

Immigration standards require all children to be seen regularly by the medical department to ensure their continued mental wellness. Additionally, the social workers are available for counseling of adults and children by request. Residents may submit a request to see a mental health social worker by completing a sick call as indicated above. Any residents who have concerns as to their child developmental status or progress may bring these concerns to the attention of medical staff or their caseworker.

ROUTINE OVER THE COUNTER MEDICINES

Should you have a situation such as a headache, stomachache or other situation where you feel you need medication immediately (Tylenol, Advil, cold and flu medications etc.), see a staff member and they will take you to medical. You will be able to receive one dose of medication and will be given instructions on how to request more if the situation continues.

MEDICATIONS

If you arrived with any medications, they were forwarded to the medical department. Medical staff will prescribe and order new medication(s) as needed for your medical condition(s). All prescribed medications will be distributed in the medical department at standard times during the day as directed by the medical provider. The current times designated for medications are:

6:00am - 8:00am
11:00am - 1:00pm
4:00pm - 6:00pm
7:00pm - 9:00pm

When the medical provider prescribes a medication for the resident “as needed” it is the resident’s responsibility to speak with a staff member to be escorted to medical to take their medication.

MEDICAL DEPARTMENT CONDUCT

The general rules of conduct at the Center will be followed while in the medical department. Parents are required to supervise their children at all times. The clinic is a busy place, parents are to keep their children in sight at all times and ensure that they are not engaging in any activity that may lead to an injury such as running around or jumping off chairs. There may be medical equipment in the area such as scales; parents are to ensure that their children are not playing with these items.

MEDICAL CARE COMPLAINTS

Residents are encouraged to discuss their medical care with the medical staff and ask questions. Residents with concerns about their care are to complete a sick call slip with a request to speak to the doctor. If, after meeting with the doctor and/or staff, residents not satisfied with the outcome may choose to file a medical grievance. These grievances are submitted to the Health Services Administrator (HSA). See the section on grievances for more information. The HSA will provide a written response within 5 days.

SEXUAL ABUSE AND ASSAULT PREVENTION AND INTERVENTION

ICE has a zero tolerance policy against sexual abuse and assault. The Center has a Sexual Abuse and Assault Prevention and Intervention Program in place to protect residents and staff. If you feel unsafe at any time during your stay at the Center because of threats of sexual abuse or assault, or if you are sexually abused or assaulted, you should immediately advise any member of the staff for assistance. If you are sexually abused or assaulted, the medical department will provide appropriate treatment and counseling. There is also sexual abuse and assault information at the Resident Information Center. On site IHSC social workers provide counseling and/or assistance at resident request. Additionally, residents feeling in danger may do one or all of the following:

- Report your concern to any member of the staff;
- File an emergency grievance stating the nature of your problems and your emergent needs. See the section on grievances for more information;
- Contact ICE by completing an ICE communication form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "ICE";
- File a complaint directly to the Department of Homeland Security;
- Contact the Office of the Inspector General (OIG) through the free phone call system, or by:

  Writing **DHS OIG HOTLINE**
  245 Murray Drive, S.E., Building 410
  Washington, D.C. 20538
  Emailing **DHSOIGHOTLINE@DHS.GOV**
  Telephoning: **1-800-323-8603**
- Notify a relative, friend or your attorney and request contact ICE or OIG on your behalf.

RESIDENT CHORES

Communal residential bathrooms, shower rooms and other resident programing areas are cleaned daily following a chore schedule, which is posted by the laundry room door on the bedroom floor. These chores are similar to activities you would do if you lived in the regular community. Chores are usually done after breakfast or lunch. Staff will remind residents when organized chores begin. Staff will issue residents the proper cleaning supplies and protective equipment at the start of each cleaning session. All cleaning

supplies will be placed in appropriate storage locations when not in use. Residents are not allowed to keep cleaning chemicals in their rooms or place them in a secondary container such as a milk carton, water or juice bottle.

TELEPHONE ACCESS

There are telephones on both floors of the Center. Telephones on the activity floor are available during free movement hours and the telephones on the bedroom floor are available 24 hours a day. Collect calls, calling card calls and ICE free access calls may be made from any of the telephones. The Center does not monitor or record conversations on any of the telephones. Phone cards may be purchased by signing up on the phone card request sheet posted outside the caseworkers' office on the activity floor. Residents may also receive phone cards through the mail. There are sanitizing wipes available to clean the phones before or after use. Accommodations shall be made for residents with communication impairments (ex: hearing/speech impaired), or residents who wish to communicate with such persons by speaking with your caseworker or completing a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests". To ensure that all residents have the opportunity to use the telephones, calls should be no longer than 20 minutes in length when other residents are waiting. If you have any issues using the phone system, if a telephone is not working properly or if the ICE free call access system does not appear to be working, report the issue to staff and they will assist you in rectifying the situation. Friends and family may call the Center to leave messages for residents. The number to call is 610.396.0310 extension 2400. Emergency messages will be delivered to the resident as soon as possible and non-urgent messages will be delivered within 24 hours.

ICE FREE ACCESS TELEPHONE CALLS

Residents may contact a variety of organizations at no cost, through the ICE free access telephone system. See the information posted in the telephone rooms and Resident Information Center for instructions on calling consulates, immigration courts, the American Bar Association, the ICE Public Advocate Hotline, the Office of Inspector General and a variety of other government and non-governmental offices. If you need help using the system speak with your caseworker or complete a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

INDIGENT RESIDENT TELEPHONE ACCESS

In addition to free calls available using the ICE free access telephone system, indigent residents may also make free calls to legal assistance organizations, family and other necessary calls, by speaking to a caseworker or completing a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

LEGAL ASSISTANCE TELEPHONE ACCESS

Telephone calls to your legal provider and courts are not monitored or recorded at any time. To access a more private area from which to make legal assistance calls, speak to a caseworker or complete a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

COMPLAINT AND GRIEVANCE PROCEDURES

Staff will not harass, discipline, punish or otherwise retaliate against a resident who files a grievance or complaint. Any allegations of this nature will be thoroughly investigated by the Executive Director. Residents have access to the formal grievance system at all times, but are encouraged to try to resolve small complaints informally whenever possible.

Informal Process - The informal route involves discussing the issue with staff in an attempt to resolve the matter. You may choose to speak with staff, your caseworker, or supervisor. You may also submit your complaint on a Resident Request form, which the caseworkers will review and attempt to resolve. The informal route is less time consuming than the formal route so may offer resolution more quickly. If you are dissatisfied with the response, you may file a formal grievance as outlined below.

Formal Process - If you do not receive a resolution through the informal process, or wish to bypass the informal process, you may file a grievance on a grievance form. These forms are available at the Resident Information Center. If you attempted to resolve the matter first informally, please indicate on the grievance form who you spoke with informally. Grievance forms should be completed and placed in the locked mailbox at the Resident Information Center marked "Grievance". Only the grievance officer has access to this mailbox, and will keep your grievance as confidential as possible. This mailbox will be checked and emptied each business day. If a resident feels the grievance is of a sensitive nature or that their safety or wellbeing would be jeopardized if others read the grievance, they may seal the form in an envelope and deliver it directly to the Executive Director. See a caseworker for an envelope if needed and their assistance in meeting with the Executive Director. Grievances should be filed as soon as possible after the alleged incident. Delays in filing may make it more difficult to investigate the issue. Residents may ask other residents, family members, legal representatives or staff for assistance in completing the grievance form. Residents are not allowed to submit a grievance on behalf of another resident unless they are the parent of the resident who has a problem. Residents may write about one single complaint, or several closely related complaints concerning a single subject on each grievance form. When completing the form, residents should try to clearly identify the issue, complaint or area of concern. If the form is not clear, it will be returned for further information. The grievance officer will meet with the resident, conduct an investigation and return a written decision to the resident within 5 business days of receipt of the grievance. If the resident disagrees with the grievance officer's decision, the officer will submit the grievance and decision to the Executive Director within 5 business days of issuing the decision on the resident. Prior to submission the resident must complete the section on the grievance form described as "State Reason(s) for Appeal" and return it to the grievance officer at that time, or by

placing the completed form in the locked mailbox at the Resident Information Center marked "Grievance". The Executive Director will render a written decision on the appeal within 5 business days of receipt. Residents dissatisfied with the Executive Director's response to their grievance, may appeal the decision to the Resident Grievance Committee (RGC). The RGC will review the information, and the resident will be offered the opportunity to present their case to the committee. Within 5 business days of reaching a decision, the RGC will serve the resident with the written decision and basis of the decision. If the resident disagrees with the RGC decision, they may appeal to ICE by filling out an ICE communication form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "ICE".

EMERGENCY GRIEVANCE PROCEDURES

An emergency grievance is initiated when a resident verbally notifies staff that that they have a complaint which immediately affects their safety or welfare. The staff receiving the resident's report will bring the matter to the immediate attention of the Executive Director and ICE for action.

NON-GRIEVABLE MATTERS

The following matters are not grievable through the Center grievance procedure:

- State and Federal Court decisions;
- State and Federal laws and regulations;
- Final decisions on grievances;
- ICE policies, procedures, or decisions (i.e., institutional transfers, releases, removals etc.);
- Disciplinary hearing decisions. Disciplinary appeals may be submitted on the disciplinary form after the hearing.

Residents who demonstrate a pattern of filing nuisance complaints or otherwise abuse the grievance system may have those complaints returned unprocessed.

STAFF MISCONDUCT

Residents may report staff misconduct directly with the Department of Homeland Security, Office of Inspector General by calling directly dialing 1-800-323-8603, by using the free call system programmed into the telephones or writing to:

Department of Homeland Security
Office of the Inspector General
245 Murray Drive, S.E., Building 410
Washington, D.C. 20538

CONTRABAND

Contraband is any material prohibited by law or regulation or that can cause physical injury, is inherently dangerous as a weapon or tool of violence, affects the safety of the Center residents or staff, or creates dangerous or unsanitary conditions in the Center. Examples would be: knives, guns, flammable liquids, keys, intoxicants, prohibited

currency, controlled substances, cigarettes, alcohol, scissors, pornography, any medications, food or drink brought to the Center, etc. Any item that is deemed contraband shall be seized by staff. If the contraband is not illegal under criminal statutes and would not otherwise pose a threat to security, the staff will inventory and receipt the property, and store with the resident's other stored personal property. Religious property will not be treated as contraband or seized without consultation with the Center Chaplain and the Executive Director. However, if a religious item is deemed contraband, it will be seized and disposed of in accordance with contraband disposal procedures. Staff will discard all food (including uneaten fast food, drinks, and opened baby food or formula) at the time of admission. When the ownership of a contraband item is in question, an investigation will be conducted to determine ownership. Staff shall inventory and store the item(s) pending verification of ownership. The resident shall have 7 days to verify ownership of the listed item(s). If a resident cannot establish ownership and/or ownership cannot be reasonably established, the property may be destroyed.

DISCIPLINARY PROCEDURES

Prohibited acts are divided into three categories: "Major," "Moderate," and "Low." The sanctions authorized for each category will be imposed only if the resident is found to have committed a prohibited act and no other method of behavioral modification has been found to be effective. Due to the family residential nature of the Center, sanctions are used as a last resort and only as a means to correct behavior that threatens the safety and welfare of residents, staff, and visitors. Action or attempted action by any resident which violates established Center rules or poses a threat to the safety and orderly operation of the center shall be dealt with through appropriate disciplinary action. Action or attempted action by any resident which violate the laws of the United States may also be actionable in a United States criminal court of law.

Staff will attempt to correct minor violations of Center rules informally through conversation and counseling whenever possible. This informal procedure may include consequences which are mutually acceptable by the resident and staff, such as temporary floor restrictions, privilege loss, and for children, time outs. Children will only be interviewed concerning violations in the presence of their parent (unless the allegation involved in incident between a parent and child). Discipline will never be of a nature or administered in a way that is degrading or humiliating to residents. Staff will never impose the following sanctions: corporal punishment; deviations from normal food services; denial of legal assistance; deprivation of correspondence, telephone, or visitation privileges; deprivation of physical exercise or access to recreation, deprivation of school or education. No punishment shall require confinement in any locked room or space. Only in mental health situations may deprivation of clothing, bedding, or items of personal hygiene occur and if so, these decisions will be made by the medical department. In the event a staff member believes that a resident is committing an offense that cannot be handled through the informal procedure, the staff member will complete an incident report. A supervisor will begin an investigation of incident reports within 24 hours of receipt. Residents under investigation have the right to:

- Remain silent during every stage of the disciplinary process. Silence will not be used to support a finding against the resident;
- Receive the Incident Report / Notice of Charges at least 24 hours before the start of administrative proceedings;
- To have an initial hearing before a Management Review Committee (MRC) within 24 hours of receiving the Notice of Charges for low to moderate violations.

During hearings before the MRC, residents have the right to:

- Present evidence and statements on their own behalf;
- Attend the hearing (except deliberation), unless behavior poses a safety concern;
- Have an interpreter present if the hearing is in a language not understood by the resident;
- Appeal the committee's determination through the appeal process.

Incidents involving serious violations of Center rules, or unresolved cases will be referred to an Executive Review Panel (ERP). During hearings before the ERP, residents have the right to:

- Call witnesses and present evidence and statements on their own behalf;
- Attend the hearing (except deliberation), unless behavior poses a safety concern;
- Have an interpreter present if the hearing is in a language not understood by the resident;
- Request a staff representative to assist in the case;
- Waive the hearing and admit committing the offense in question;
- Appeal the committee's decision through the appeal process.

DISCIPLINE HEARING APPEALS

Residents may appeal disciplinary panel decisions following their hearing by giving their written appeal to one of the panel members. The panel will submit the appeal to the Executive Director who will provide an immediate written response.

DISCIPLINE PROCEEDING POSTPONEMENTS

Disciplinary proceedings may be postponed for reasons such as defense preparation, physical or mental illness, security concerns, escape, disciplinary transfer, pending criminal prosecution, etc.

CORRECTIVE SANCTIONS FOR CHILDREN

Sanctions 1 through 4 below may be imposed by the MRC. Sanctions 1 through 5 may be imposed by the ERP.

1. Referral to Counseling
2. Restriction to Housing Area, not to exceed 72 hours
    a. When a child is restricted to housing, they must be afforded a minimum of one hour of outdoor activity time daily.
    b. The child may be restricted to the dayroom area but may not be forced to remain in his/her room except during a time out period.
    c. No sanction may restrict a child from attending required school classes or religious practices.
3. Children 12 years old and older may have their free movement privilege suspended for up to 14 days. Such a suspension would require that the parent supervise all activities for that time period.
4. Loss of extracurricular activity time such as movie night.
5. Loss of field trip privileges for up to 45 days.

Corrective action may not interfere with such daily functions as eating and sleeping. Disciplinary actions may not adversely impact a child's health, physical or psychological well-being or deny a child regular meals, sufficient sleep, exercise, medical care, the right to correspondence, or legal assistance.

CORRECTIVE SANCTIONS FOR ADULTS

Sanctions 1 through 4 below may be imposed by the MRC.
Sanctions 1 through 5 may be imposed by the ERP.

1. Referral to Counseling
2. Require attendance in Parenting Classes
3. Additional work details such as: General housekeeping
4. Loss of Commissary
5. Restriction to housing Area, not to exceed 72 hours.
    a) Imposition of such a sanction must take into account the ages of children and the negative impact this sanction would have on minor's who were not involved in the charged offense.

DESCRIPTION OF OFFENSES

LOW OFFENSES

(101) Being in an Unauthorized Area - Being in an area that is designated through verbal, written, or posted orders as “off limits" to residents.
(102) Disorderly Conduct- Behavior such as loud talking, yelling, or pushing which disrupts the orderly running of the facility.
(103) Failure of Parent/Legal Guardian to Appropriately Manage Children's Behavior - For parents who allow their children to be unruly, disrespectful, or insubordinate while in their presence.

(104) Failure to Follow Verbal or Posted Rules and/or Regulations- Not following specific rules and/or orders which have been designated for the clean, safe, orderly operation of the facility which residents have been told in advance through posting or have been given verbally by an employee of the facility or person who has charge of the resident at the time. This includes not following the procedures established by the facility for taking count.
(105) Fighting - Exchange of words or body contact in anger wherein no injury requiring medical attention occurs, such as horseplay.
(106) Gambling - Operate or act in any game of chance involving betting or waging of goods or other valuables.
(107) Possession of Gambling Paraphernalia- Having in one's control, items for use in operating or acting in any game of chance involving betting and wagering of goods or other valuables.
(108) Self-Mutilation -Inflicting injury on one's self; such as cutting on one's own body or tattooing.
(109) Smoking - Smoking tobacco of any form in any area of the facility.
(110) Unauthorized Receipt or Possession of any Item of Value- Receiving or having in one's possession any item of value which has been obtained through false pretenses, threats, or stealing.
(111) Unexcused Absence from Place of Assignment- Being away, without authorization from an appropriate supervisor, from the place of assignment such as housing area, recreation area, health services, etc.
(112) Use of Vulgar, Abusive, or Obscene Phrases/Language
(113) Failure to Maintain Personal Hygiene or Personal Hygiene of Child - Not having a clean body or clothes.
(114) Unsanitary and Disorderly Housing Conditions- Not keeping a clean, neat living area. The area should be kept in a manner so that all possessions are stored in an organized manner in areas designated for such. The area should be free from dirt and clutter.
(115) Possession of Non-Dangerous Contraband (Soft Contraband) - Possession of contraband items that are not allowed at the facility but are not capable of causing serious injury or harm to self or others, including tobacco products.
(116) Unauthorized Use of Telephone- Using the telephone during unauthorized times.
(201) Refusal to Submit to a Reasonable Suspicion Drug Test- Not providing a urine sample for use in reasonable suspicion drug testing.

MODERATE OFFENSES

(202) Positive Reasonable Suspicion Drug Test-Testing positive for an illegal drug or un-prescribed controlled substance.
(203) Theft - Unauthorized taking of something that belongs to someone else.
(204) Destruction, Alteration, or Damage to Property (Under$1,000.00) - Destroying, changing or hurting property of the facility or any other person.
(205) Forgery or Unauthorized Reproductions of Documents or Articles (Excluding Money) - Counterfeiting, forging, or reproducing without approval, any document, article, identification, or security documents.

(206) Hindering an Employee in the Performance of Their Duties- Acting in such a way to interrupt an employee during their work time such as causing delays or giving false information.
(207) Refusal to Submit to a Reasonable Suspicion Search.
(208) Child Neglect- Failure to give care and proper attention to a child (Non-Injury)
(209) Verbal Sexual Harassment of a Resident. Acting in such a manner as to create a hostile residential environment for other residents regardless of age or gender.

MAJOR OFFENSES

(301) Arson - Starting or causing to be started a fire which could or does cause damage to person(s) or property.
(302) Assault/Battery-A non-sexually related attack upon the body of another person with the intention of harming or causing serious injury.
(303) Rape-Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse; and contact between the penis and the vagina or the penis and the anus including penetration, however slight; or contact between the mouth and the penis, vagina, or anus; or penetration of the anal or genital opening of another person by a hand, finger, or other object (i.e. penetration or oral sodomy).
(303) Sexual Assault- Abusive contact of any person without his or her consent for the purpose of sexual gratification or arousal or of a person who is unable to consent or refuse; and intentional touching, either directly or indirectly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or buttocks of any person. Sexual assault excludes incidents involving penetration or oral sodomy.
(304) Attempt/Conspiracy to Commit a Major Offense-An offense for residents who do not actually commit the offense but participate in one (1) or more of the following ways:

(304a) Attempts to commit the major offense;
(304b) Solicits another or others to commit the major offense;
(304c) Conspires with another or others to commit the major offense; and/or
(304d) Facilitates the action of another or others in committing the major offense.

(305) Child Abuse - Treating a child cruelly, roughly, wrongly, improperly, or in an insulting manner.
(306) Child Neglect - Failure to give care and proper attention to a child resulting in endangerment or injury to a child.
(307) Confirmed STG Affiliation/Activity-Affiliated or participating in a gang-related activity.
(308) Counterfeiting, Forgery, or Unauthorized Reproduction of Money
(309) Death of Any Person - Any act of which the end result is the death of any person including employees, visitors/volunteers, and/or other residents.
(310) Destruction, Alteration, or Damage to Property ($1,000 or more) - Destroying, changing or hurting property of the facility or any other person.
(311) Hostage Taking- Holding a person(s) against their will as a security for the fulfillment of certain terms.
(312) Escape-Leaving the grounds of the facility or from the custody of an employee outside of the facility without permission.
(313) Insurrection -Participation or encouraging another to participate in unauthorized activity such as protesting or rioting.

(314) Possession of Dangerous Contraband (Hard Contraband) - Possession of contraband items that are not allowed at the facility and are capable of causing serious injury or harm to self or others. This includes deadly weapons, items altered to be used as weapons, drugs and drug paraphernalia.

(315) Sexual Misconduct - This includes, but is not limited to, the following acts:

(315a) Exposing the genitals or buttocks to an employee, visitor/volunteer, or resident for the purpose of sexual gratification or arousal.

(315b) Masturbation where an employee, visitor/volunteer, or other resident can see the act

(316) Intimidating or Threatening Another with Harm - Telling someone, through actions or words, that harm will come to them.

(317) Possession of Drugs or Intoxicants-Possession of any drugs or intoxicants which have not been prescribed or approved by the health services department for use.

(318) Violation of any Federal, State, or Local Law-Any act, though not specifically listed in this policy, that would be considered either a felony or misdemeanor under federal laws or under the state laws in which the resident is housed.

EDUCATION

The Center operates an on-site school which is taught by the Berks County Intermediate Unit. Classrooms are located on the activity floor of the Center. The Center school provides educational services to all children who are at least 4 years old on September 1 of the current school year. Attendance in the educational program is mandatory and is provided in a structured classroom setting Monday through Friday. The basic academic areas include science, social studies, math, reading, writing, and physical education. Generally, children 4 to 5 years old will participate in a half day preschool program, and children 5 to 18 years old will participate in a full day academic program. All children 5 years old and over will be tested upon their admission to the Center and placed into the appropriate classroom. Parents are required to physically drop off their children in the proper Center classroom at 8:40am, Monday-Friday when school is in session. Parents must return to their children's classroom at 3:15pm each school day to pick up their children, unless otherwise told by staff of schedule changes. School holidays and breaks will be announced and posted.

SPECIAL NEEDS INFORMATION

Although each child is evaluated for special needs after admission, parents who believe their children may have educational deficiencies or learning disabilities, may also initiate a special needs evaluation request. Parents may request this evaluation by speaking with their child's teacher, a caseworker, an IHSC social worker or by completing a Program Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests". The educational unit will meet with the parent and test the child; if found to be eligible for special needs instruction, the child will receive an Individual Educational Plan (IEP). The child's educational program, and any necessary modifications, will be driven by their IEP.

MARRIAGES

You or your legal representative may request permission to have a marriage ceremony while at the Center from the Chief of the Juvenile and Family Residential Management Unit in writing. The request must specifically state:

- That the resident is legally eligible to be married;
- That he or she is mentally competent, as determined by a qualified medical practitioner;
- That the intended spouse wants to marry the resident, as attested by a written affirmation of intent to marry the resident by the intended spouse.

The affirmation must be included as part of the request. Failure to obtain approval from the Chief, JFRMU could result in a delay or cancellation of any ceremonies or approved visits for the purpose of marriage. (See ICE for more information.)

COMMISSARY

If you have funds on your Center account, you are allowed to purchase items from the Center commissary by completing a commissary order form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Commissary". Once your order has been confirmed and approved, your commissary package will be available for pickup. Please see the Resident Services information at the Resident Information Center for more commissary information and current order and delivery day.

COMMISSARY GUIDELINES

Only the head of household can submit a commissary order. Upon receipt, it is your responsibility to ensure that you have received the items that you ordered. Any problems with the order must be reported to a Supervisor immediately after receiving the order. All commissary transactions are final when completed. A transaction is complete when the resident checks his/her merchandise and signs his/her receipt. No exchanges are permitted. The commissary does not give credit. Residents must have sufficient funds on your Center account to pay for items ordered. A resident's commissary slip will not be changed after it is placed into the Commissary mailbox. There is a $100.00 spending limit per family, per week (excluding special purchases). Any item bought from the commissary must be for use by the family making the purchase.

FINANCES

Residents are not allowed to have money or funds in their possession while at the Center. Upon admission, all U.S. currency was deposited into an account which you have access to during your stay here. Any non U.S. currency was placed into your stored property. You will receive a receipt for any funds processed during your stay at the Center. Residents may receive funds (cash or checks/money orders made out to the resident) from family and friends by having them mailed to the Center address located at the front of this handbook. (Cashier's checks are recommended). If you choose to participate in the work program, those payments will also be deposited into your account. You may also receive funds during visits. These funds must be turned over to staff prior to the visit

to be placed in your account. You may use these funds to purchase phone cards, commissary items and other items needed during your stay at the Center. Residents coming from another center will have their funds credited to their account within 24 hours of the arrival of those funds. Upon discharge, residents will receive the balance of any funds they have in their Center account in the form of a check.

VOLUNTARY WORK PROGRAM

Adult residents may participate in the Center's voluntary work program. Prior to starting the voluntary work program residents must obtain a medical clearance. Speak to the medical department concerning this clearance. Residents will receive any necessary training and are required to sign a voluntary work program statement prior to beginning to work. Residents participating in the voluntary work program will be paid $1.00 per day for their participation. See your caseworker to sign up for the voluntary work program or complete a Program Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests". Residents may also volunteer for temporary work details that occasionally arise. Temporary work generally lasts from several hours to several days. Residents assigned to special work areas shall be provided appropriate protective clothing and instruction in accordance to the requirements of the job. Work assignments are strictly voluntary. Unsatisfactory work performance and or disciplinary cases could result in removal from the voluntary work program. The following is a list of some of the work assignments and temporary work available through the voluntary work program:

- Kitchen /Dining
- Area cleaning (inside center)
- Area cleaning (outside center)
- Laundry
- Living area cleaning
- Recreation
- Library
- Garden
- Sewing
- Paint detail
- Clothing Room

VISITATION

Residents are allowed social, legal and consular visits as outlined in those related sections in this handbook. All visitors must present US government issued photo identification upon arrival at the Center. At the supervisor's discretion, a minor without positive identification may be admitted if the accompanying adult visitor vouches for his/her identity. Minors will remain under the direct supervision of an adult visitor, so not to disturb other visitors. Disruptive conduct by visitors or residents may cause termination of the visit. Any property brought to the visit to be given to a resident must be turned over to staff for inventorying and receipting. No items may be given directly to a resident during a visit. Residents are not allowed to receive contraband or perishable food items. See the sections on allowable personal property and contraband for more information.

DIRECTIONS TO THE CENTER

From Route 222 (not business Route 222), exit onto 183 North. Travel to the first traffic light (CVS Pharmacy on corner) and turn left onto Leesport Road. At the first stop sign turn right onto County Road. Travel approximately 1 mile to Berks Road and turn left onto Berks Road. Travel to the first parking lot on the left. The Center visitor entrance is at the top of the ramp by the flag pole.

SOCIAL VISITATION

Social visitation is conducted seven days a week including holidays from 8:00am to 8:00pm. Residents may have an unlimited number of visits. Generally, visits will be a minimum of 60 minutes per visit. Visits are by appointment only. Appointments are made with the Caseworkers at extensions 2360 and 2361 Monday through Friday, from 9:00am to 3:00pm. The number of visitors per visit may be restricted due to the volume of visits scheduled at that time. Due to staffing, resident medical appointments and activity schedules, visitors will not be allowed to visit without prior approval unless authorized by the Program Director. Visitors may also request a special visitation accommodations if they are traveling significant distances or have other special circumstances. Family, friends and other associates may schedule social visits with residents.

LEGAL AID VISITATION

The Center permits legal visitation 7 days a week, including holidays from 8:00am to 8:00pm. Legal visits are by appointment only. Appointments are made with the Caseworkers at extensions 2360 and 2361 Monday through Friday, from 9:00am to 3:00pm. Should a legal aid provider need to arrange an appointment at other than the times listed above, they may contact a supervisor for assistance. Legal visits may proceed through a scheduled meal period. In such cases, the resident shall receive a tray or sack meal after the visit, or may choose to eat during the visit. Attorneys must present a US state issued bar membership card. Persons allowed during a legal visit:

- Attorneys and other legal representatives;
- Legal assistants;
- Upon presentation of a letter of authorization from the legal representative under whose supervision he/she is working, an unaccompanied legal assistant may meet with a resident during legal visitation hours. The letter shall state that the named legal assistant is working on behalf of the supervising legal representative for purposes of meeting with the ICE resident(s);
- Interpreters to aid the legal representatives or assistants.

CONSULAR VISITATION

The Center permits visits by consular officers at any time. Appointments are made with the Caseworkers at extensions 2360 and 2361 Monday through Friday, from 9:00am to 3:00pm. Should a consular officer need to arrange an appointment at other than the times listed above, they may contact a supervisor for assistance.

VISITOR DRESS CODE

Visitors Age 5 and Older:

- Must wear clothing which covers their shoulders, chest, stomach and all areas of the anatomy between the naval (belly button) and mid-thigh when seated;
- The top or neckline of clothing shall be no lower than the underarm in the front and in the back;
- Sheer (see-through) clothing is prohibited;
- Shoes shall be worn at all times;
- Shirts shall be worn at all times;
- "Gang colors" are prohibited.

LEGAL INFORMATION

LAW LIBRARY / ACCESS TO LEGAL MATERIALS

The law library is located on the Bedroom floor and is open 24 hours a day. No more than 5 residents will be allowed to use the library at any given time. If you cannot access the law library due to the resident limit, speak with a supervisor who will make arrangements for you to use the law library. Any residents not using the library for its intended purpose will be asked to leave. Typewriters and computers are available in the law library for preparation of legal documents and for legal research. The computers contain a "Lexus Nexus" application which has a variety of publications on immigration law and other related publications. There may also be non-governmental organization legal and immigration related research in the bookshelf in the law library. Residents may request off site law related materials by speaking to a caseworker or completing a Program Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests". For instruction on accessing the Lexus Nexus application, to sign up for the orientation or for questions concerning using the law library equipment, speak with a caseworker or complete a Program Request form. See staff at the bedroom floor courtesy desk for paper, computer storage disks to store documents and to report malfunctioning of law library equipment.

MATERIALS PROVIDED BY LEGAL REPRESENTATIVES

Documents or other written material provided to a resident during a legal aid visit shall be inspected, but not read. Residents may keep legal materials in their bedrooms. Quantities of blank forms or self-help legal material in excess of that required for personal use may be held for the resident in their property. The resident will be permitted access to these documents by speaking with staff or by completing a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

LEGAL ORIENTATION PRESENTATIONS

Legal Orientation Presentations (LOP) are conducted at the Center by volunteer legal aid organizations. They are open to all residents, regardless of the presenter's intended

audience, except when a particular resident's attendance would pose a security risk. LOPs are generally held each month. See the LOP information and posted schedule at the Resident Information Center, see a caseworker or complete a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

FREE LEGAL ASSISTANCE

Pro bono (free) legal assistance may be requested by contacting the pro bono legal assistance organizations listed at the Resident Information Center. The Executive Office for Immigration Review supplies this list. You may also request to speak with the Center's local legal aid assistance group. This signup sheet is located outside the caseworkers' office on the activity floor.

ROUTINE SANITATION AND SAFETY INSPECTIONS

Sanitation and fire safety inspections are conducted weekly in all program areas of the Center. During these inspections, staff inspects for proper sanitary conditions and compliance with other regulations. When inspecting bedrooms during these inspections, the residents living in the room will be requested to be present. Parents are requested to be present when staff are checking their child's bedrooms.

NON-ROUTINE SEARCHES

A non-routine search of housing or programing area is done when there is reasonable suspicion to believe contraband or a threat to resident or staff safety is present. A non-routine search of a resident's bedroom or personal items will only be done after the resident is notified and is present unless exigent circumstances exist (such as in a self-harm situation). In these cases, the resident will be notified after the search is conducted.

SEARCHES OF PERSONS:

- Visual Inspection: A visual search for contraband without physical contact.
- Pat Search: A physical inspection of a resident while clothed. It will only be conducted by a staff member of the same gender. The inspector uses their sense of touch when patting or running the hands over the resident's body. A pat search does not require the resident to remove clothing, although the inspection may include a search of the resident's clothing and personal effects. Pat searches will only be conducted on any resident if there is reasonable and articulable suspicion that they possess contraband. No children under 15 years of age will be the subject of a pat search without the explicit authorization of the Executive Director and JFRMU.

MAIL / CORRESPONDENCE

Residents may send and receive correspondence and a variety of other items through the mail including phone cards, money orders, books, clothing, and other "allowable" items.

See those related sections for more information. Residents shall be permitted to receive and send at their own expense:

- An unlimited amount of general correspondence mail. The amount will only be limited when a public safety or Center security and order situation exists;
- An unlimited amount of special correspondence, including correspondence with a legal representative, potential legal representative, courts and other governmental agencies and news organizations. See the section on special correspondence for more information;
- Packages containing personal property. To send or receive packages, speak to a caseworker or complete a Program Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

INDIGENT RESIDENT MAIL

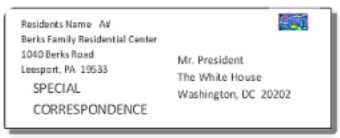
Residents who do not have adequate funds to purchase postage will be permitted to send at no cost:

- A reasonable amount "special correspondence" mail. Should the Center consider the related amount "unreasonable", the ICE Office of Chief Counsel will be consulted prior to suspending mail postings;
- At least 5 general correspondence letters per week;
- Any packages that are deemed necessary by ICE/ERO, such as clothing, personal items, and items needed for return to country of origin;
- Packages containing personal property when it is determined that space is limited for the proper storage of the items.

SPECIAL CORRESPONDENCE

Special correspondence is written correspondence to or from attorneys and other legal representatives, judges, courts, embassies/consulates, the President and Vice President of the United States, members of Congress, the Department of Justice, the Department of Homeland Security, the U.S. Public Health Service, and representatives of the news media.

- Correspondence will only be treated as Special Correspondence if the title and office of the sender (for incoming mail) or addressee (for outgoing mail) are unambiguously identified on the envelope and the envelope is labeled "Special Correspondence." Incoming special correspondence must also be marked as "Special Correspondence" on the envelope or package. Residents must instruct anyone sending Special Correspondence to the Center of the related rules and address requirements;



- Special Correspondence may only be opened in the presence of the resident, and may only be checked for contraband, not read;
- Special Correspondence packages may only be sent or received with advance arrangements. To send or receive such a package, speak with your Caseworker or complete a Program Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

POSTAGE AND ENVELOPES

Postage can be purchased from the Center commissary. See the section on commissary procedures and indigent resident mail for more information. Envelopes will be provided to residents at no cost by speaking with a caseworker or completing a Program Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

DISTRIBUTION OF INCOMING MAIL

Incoming flat mail will be distributed within 24 hours and packages within 48 hours of receipt when arriving during normal business hours. Incoming packages received on weekends and holidays will be distributed the next administrative business day. All incoming mail should list the resident's name and A number and have an accurate return address. Incoming general mail will be opened and inspected for contraband only in the presence of the resident, unless waived by the resident or authorized by the Executive Director for security reasons. Incoming general mail may also be read when a specific documented security concern arises with respect to an individual resident. Mail may be rejected if it contains contraband, other items of a security threat or perishable items. Both sender and intended receiver shall be provided written notice with an explanation as to why the mail is rejected and that the mail will be disposed of in accordance with the contraband section in this handbook. The resident and Center Chaplain will be consulted before religious articles are confiscated. Identify documents mailed to the resident will be turned over to ICE for placement in the Resident's A file. Residents should contact ICE for a certified copy of the document. See the section on contacting immigration for more information.

POSTING OF OUTGOING MAIL

Outgoing mail will not be opened, inspected, or censored unless it is addressed to another resident or alien in a detention facility, or there is reason to believe the item may pose a threat to the facility's security or orderly operation, endanger the recipient or the public or facilitate criminal activity. Outgoing mail will be posted within 24 hours of the time the mail was turned over to the Center by the resident, excluding weekends and holidays: then it will be posted the next administrative business day. Outgoing mail (containing appropriate postage) may be placed into the "Mail" mailbox at the Resident Information Center. If mail is placed into the mailbox without proper postage, it will be returned to the resident, unless they are indigent. See the section on indigent mail for more information. Mail that does not fit into the slot may be handed to a caseworker or supervisor for processing. All outgoing mail should list the resident's name, A number

and Center address in the return address area. Residents may speak with a caseworker concerning postage requirements.

NOTARY PUBLIC

Notary public assistance may be obtained by filling out a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

PHOTOCOPIES

Photocopies may be obtained by speaking to a staff member, case worker or filling out a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests". Photocopying services for legal material is available free of charge.

MONEY ORDERS

Residents wishing to send money orders should speak with their case worker or complete a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

HAIR CARE SERVICES

Residents have the opportunity receive a haircut or other hair care service once a week. Hair care services information, including a price list, is located at the Resident Information Center. The signup sheet is located outside of the caseworkers' office on the activity floor. For information about the hair care services, see a caseworker or complete a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

RECREATIONAL PROGRAM

There are a variety of recreation activities offered to residents during their stay at the Center. Residents are expected to take care of supplies and equipment issued to them and to return the items after use. Residents will be held accountable for any recreational or leisure item until it has been returned. The staff schedules specific activities for pleasure and fitness and ask that you cooperate and participate in these activities; and encourage your children to participate. Some of the activities are off site field trips which are scheduled in advance, some are on site activities and are scheduled at particular days and times and others are available for use independently. For more information, see the recreation postings, information and schedules at the Resident Information Center.

RECREATIONAL OFFERINGS

- **Televisions-**There are several televisions placed around the Center for resident entertainment. The televisions allow for both English and Spanish programing

and also play music. While there are no specific rules governing what programs will be viewed, residents are expected to be considerate of each other to avoid unnecessary problems regarding their usage. In the event an issue develops, staff will attempt to resolve the problem and may decide to discontinue usage until the situation can be resolved. The volume of the televisions shall be kept at a reasonable level so as to not disturb other residents or Center operations. During quiet hours, volume should be kept to a minimum. Televisions are not to be removed from their locations or tampered with for any reason. Residents should report any television malfunctioning to the staff so it can be addressed.

- **Social Library-**The social library is located on the activity floor and is open seven days a week during free movement. Residents may read in the library or check out books by taking them to the activity floor courtesy desk. Early readers, young adult, teen, and adult books are available in English, Spanish and other languages. There are also computers available in the social library which are to be used solely for electronic reading. Utilizing these computers, residents may access reading material in their native language. See staff at the courtesy desk for information on using these computers, speak with a caseworker or complete a Program Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".
- **Toddler Activity Room-** The toddler activity room is located on the activity floor. Residents will find a wealth of toddler toys, games, movies, multilingual board books and educational activities which toddlers may play with in this room.
- **Electronic games** (Wii, Xbox etc.)- Generally staff offers electronic gaming as part of an organized activity, but units may be checked out if available. See staff at the courtesy desk on either floor for information on checking out the electronic games. See recreational postings at the Resident Information Center for information on organized electronic game activities. In the event a problem develops while residents are playing electronic games, staff will attempt to resolve the problem and may decide to discontinue usage until the situation can be resolved.
- **Music and listening equipment-** Music players may be checked out by speaking with staff at the courtesy desks on either floor.
- **Leisure Activities-** The Center provides leisure activities in the dayrooms of both floors. Leisure activities include arts and crafts, table games, board games, cards, educational flashcards etc. You are asked to handle these items with care and to be considerate of others who may wish to use them. These items may be checked out by speaking to staff at the courtesy desks on either floor. Residents should report any loss or breakage to staff so the items may be replaced. Residents must return the items prior to going on to another activity (i.e.: a meal, a visit, a medical appointment, end of free movement etc.)
- **Off-site fieldtrips-** Off site field trips are scheduled regularly to a variety of locations such as area parks, malls, book stores, pet stores, craft events, holiday activities. Look for postings at the Resident Information Center or speak to your caseworker for more information.
- **On site activities-** On site activities are scheduled regularly such as: Toddler activities, movie nights, table game tournaments, outdoor sports tournaments, and

electronic gaming. Look for postings at the Resident Information Center or speak to your caseworker for more information.

- **Special Events-** The Center holds dances, carnivals, cookouts, celebrations and birthday parties throughout the year. Look for postings at the Resident Information Center or speak to your caseworker for more information.
- **Internet Café-** The internet bank is located in the lobby of the activity floor and is open during free movement. The internet bank allows for internet and email access and there are word processing, spreadsheet and database programs on the machines. In cases of high demand, residents may only use a machine for a limited period of time each day. See the internet rules posted at the Resident Information Center or your caseworker for more information.
- **Musical Instruments-** There is a piano in the programing space for staff and resident use. Parents are to monitor their children so as to not damage the piano. Other musical instruments may be checked out for use. See staff at either courtesy desk for more information.
- **Cooking Projects -**Adult residents may sign up for cooking projects as posted at the Resident Information Center. Staff regularly offers children the opportunity to participate in cooking projects (no sign up required).
- **Arts and Crafts-** In addition to residents being able to check out arts and craft supplies, staff regularly offers residents the opportunity to make a particular craft which is then put on display around the Center. See your caseworker for more information.
- **Crocheting-** The Center provides yarn, hooks and needles for crocheting. See a caseworker for further information.
- **Organized Classes-** The Center runs organized classes on a variety of topics, such as English as a Second Language and fitness classes. See postings at the Resident Information Center or speak with your caseworker to obtain more information.
- **Lectures-** On occasion, the Center hosts lectures on different topics such as nutrition, finances and lifestyle issues. See postings at the Resident Information Center or speak with your caseworker to obtain more information.

This handbook has been reviewed and approved by:

_____ _____

Diane Edwards, Executive Director Date

_____ _____

JFRMU Representative Date

Exhibit 3

Pennsylvania

Disclaimer: As required by 8 C.F.R. § 1003.61, the Executive Office for Immigration Review (EOIR), Office of the Director, Office of Legal Access Programs maintains a list of organizations and attorneys qualified under the regulations who provide pro bono or free legal services. The information posted on this list is provided to EOIR by the Providers. EOIR does not endorse any of these organizations or attorneys. Additionally, EOIR does not participate in, nor is it responsible for, the representation decisions or performance of these organizations or attorneys.

* New Provider

List of Pro Bono Legal Service Providers

Updated April 2016

http://www.justice.gov/eoir/list-pro-bono-legal-service-providers

Philadelphia Immigration Court

Philadelphia, Pennsylvania	
Camden Center for Law and Social Justice, Inc. Immigration Service Office 126 Broadway Camden, NJ 08102 Tel: (856) 583-2950 Fax: (856) 583-2955 or 15 North California Avenue Atlantic City, NJ (609) 348-2111	**Prime - Ecumenical Commitment to Refugees** 129 Owen Ave., P.O. Box 5 Lansdowne, PA 19050-0005 Tel: (610) 259-4500 Fax: (610) 259-4515 and 604 New Holland Ave., Suite G Lancaster, PA 17602 Tel: (717) 396-9300 Fax: (717) 396-9374
Catholic Social Services Archdiocese of Philadelphia 227 N. 18th Street Philadelphia, PA 19103 (215) 854-7019 • No criminal cases. • Will take Asylum cases. • May charge a nominal fee.	**Jewish Family and Children's Service of Pittsburgh** 5743 Bartlett Street Pittsburgh, PA 15217 (412) 422-7200 • Willing to take Asylum cases. • Russian spoken. • May charge nominal fee.
African Hispanic Immigration Organization (AHIO), Inc. 4815 Westfield Avenue Pennsauken, NJ 08110 (856) 324-5098 www.ahiolaw.org	**Lutheran Children and Family Service** 5901 North 5th Street Philadelphia, PA 19120-1824 (215) 276-7850 • Will take Asylum and criminal cases. • May charge a nominal fee.
HIAS and Council Migration Services 2100 Arch Street, 3rd floor Philadelphia, PA 19103 (215) 832-0900 1-800-267-4600 (toll-free asylee hotline for legal and other information) • May charge a nominal fee. • Will represent aliens seeking Asylum. • Will take criminal cases. • By Appointment Only / No Walk-In Service • Intake Hours: Tuesday 2:00 pm to 4:30 pm Wednesday 9:30 am to 12:30 pm	**Nationalities Service Center Migration Services** 1216 Arch St., 4th Floor Philadelphia, PA 19107 (215) 893-8400 (215) 735-4064, fax • May charge a nominal fee. • Will take Asylum cases. • No employment-based cases. • Will accept criminal cases.

Disclaimer: As required by 8 C.F.R. § 1003.61, the Executive Office for Immigration Review (EOIR), Office of the Director, Office of Legal Access Programs maintains a list of organizations and attorneys qualified under the regulations who provide pro bono or free legal services. The information posted on this list is provided to EOIR by the Providers. EOIR does not endorse any of these organizations or attorneys. Additionally, EOIR does not participate in, nor is it responsible for, the representation decisions or performance of these organizations or attorneys.

* New Provider

List of Pro Bono Legal Service Providers

Updated April 2016

http://www.justice.gov/eoir/list-pro-bono-legal-service-providers

York Immigration Court

York, Pennsylvania

Hias and Counsel Migration Services

2100 Arch Street, 3rd Floor

Philadelphia, PA 19103
(215) 832-0900
• Will represent aliens seeking asylum.
• May charge a nominal fee.
• Representation limited to residents of Southeast Pennsylvania and Delaware.

Justin C. Egeolu, Esq.

2386 Morris Avenue, Suite 100
Union, NJ 07083
Tel: (866) 794-1716
ejc@egeolulaw.com
• Will represent indigent aliens pro bono in asylum proceedings.

Prime - Ecumenical Commitment to Refugees

129 Owen Ave., P.O. Box 5
Lansdowne, PA 19050-0005
Tel: (610) 259-4500
(610) 259-4515
and
701 N. Lime St.
Lancaster, PA 17602
Tel: (717) 396-9300
Fax: (717) 396-9374

Pennsylvania Immigration Resource Center (PIRC)

Mailing: P.O. Box 20339, York, PA 17402
Physical Location: York County Annex Building, Suite 1, 112 Pleasant Acres Road, York, PA 17402
Tel: (717) 600-8099
Fax: (717) 600-8044
• Represents only aliens in detention.

• Represents aliens seeking asylum, CAT.
• Represents children.

Nationalities Service Center

1300 Spruce Street
Philadelphia, PA 19107
(215) 893-8400

• Will represent aliens seeking asylum.
• May charge a nominal fee.

Disclaimer: As required by 8 C.F.R. § 1003.61, the Executive Office for Immigration Review (EOIR), Office of the Director, Office of Legal Access Programs maintains a list of organizations and attorneys qualified under the regulations who provide pro bono or free legal services. The information posted on this list is provided to EOIR by the Providers. EOIR does not endorse any of these organizations or attorneys. Additionally, EOIR does not participate in, nor is it responsible for, the representation decisions or performance of these organizations or attorneys.

Exhibit 4

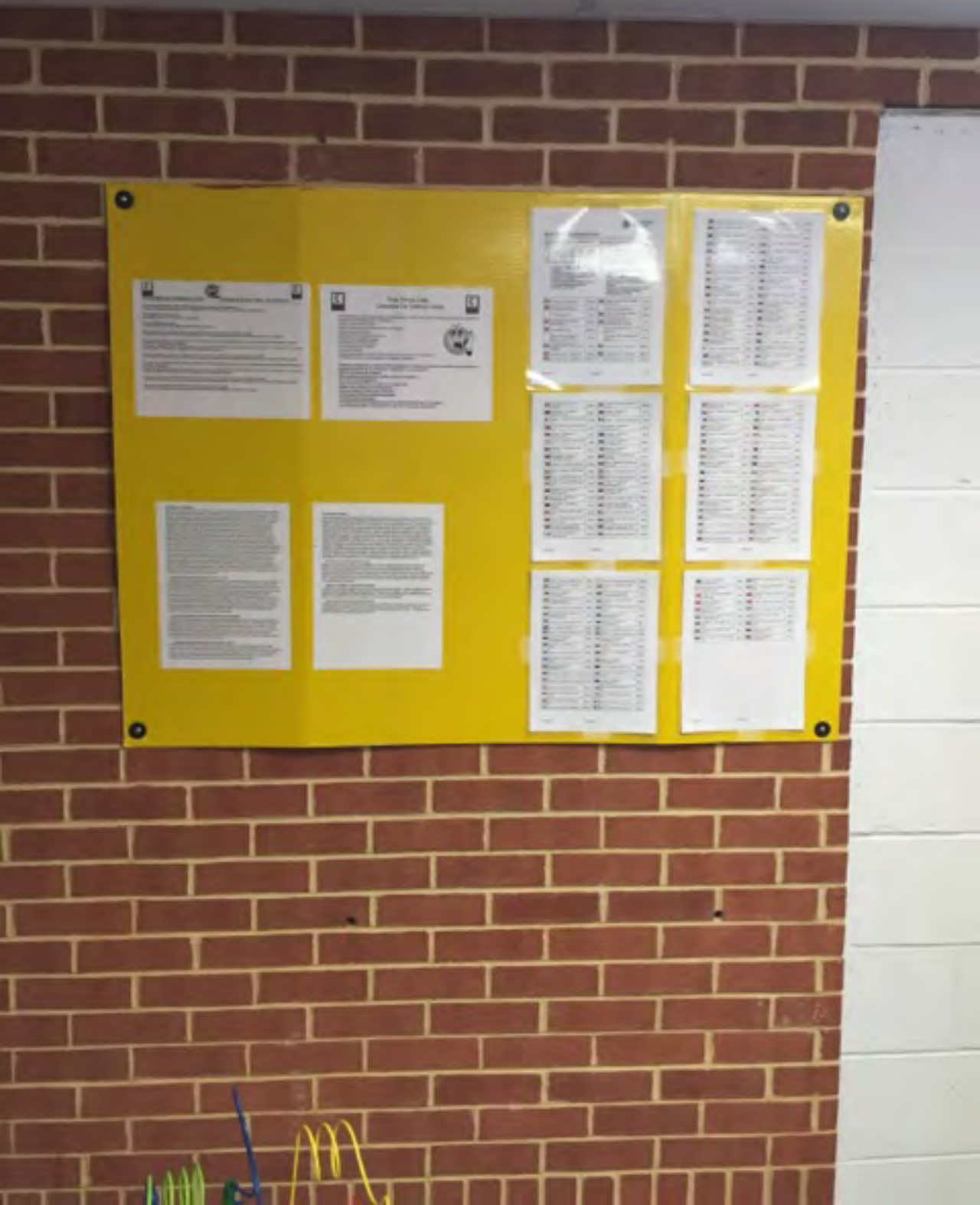
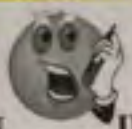


Exhibit 5



TELEPHONE INFORMATION INFORMACION DEL TELÉFONO

If you are experiencing troubles with the phones please contact staff immediately.
Si usted esta teniedo problemas con los telefono, por favor dejele saber a un trabajador inmediatamente.

You must dial '9' to make a call.
Usted debe marcar el '9' para hacer una llamada.

Local (610/484) calls are free.
Las llamadas locales (del codigo de 610/484 area) son gratis.

When telephone use is in high demand, telephone calls shall not exceed 20 minutes in length.
Cuando el acceso del telefono esta en demanda alta, las llamadas telefonicas no deben exceder 20 minutos en longitude.

To make "Free Calls" to consulates, courts, OIG, UNHCR, government offices etc dial 9, then 44 and follow the instructions. See your caseworker for assistance if needed.
Para hacer "llamadas gratis" a los consulados, cortes, OIG, UNHCR, oficinas gubernamentales etc marca a "9" entonces a "44" y siga las instrucciones. Consulte a su trabajador social para obtener ayuda..

Persons wishing to call into the Center to leave a message for a resident, should dial 610.396.0310 x2400
Las personas que deseen poner en el centro para dejar un mensaje para un residente, deberán marcar el número 610.396.0310 x2400

To make calls to family or others during a personal or family emergency, when you can't call collect and do not have a phone calling card, ask your caseworker.
Para hacer llamadas a familiares u otras personas durante una emergencia personal o familiar, cuando no se puede llamar por cobrar y no tienen una tarjeta para llamar por teléfono, pregunte a su trabajador de caso.

Persons wishing to call into the Center to leave a message for a resident, should dial 610.396.0310 x2400
Las personas que deseen poner en el centro para dejar un mensaje para un residente, deberán marcar el número 610.396.0310 x2400

See your case worker to make attorney / legal assistance calls in private
Consulte a su trabajador de caso para hacer de abogado / legal llamadas de asistencia en privado

Exhibit 6

Free Phone Calls
Llamadas De Teléfono Gratis

All residents are given free access to the following – either through the telephones utilizing the speed dial program or by speaking to a caseworker :

Office of Inspector General
United Nations High Commissioner for Refugees
Local Immigration Court
Automated Immigration Court Line
Board of Immigration Appeals
Any Federal or State Courts
Any Governmental Offices
Consular Officials
Legal representatives (and to seek legal representation or consultation)
Immediate family or other people in emergency situations

Todos los residentes a accesso libres al siguiente cualquiera a través los teléfonos que utilizan el programa del dial de la velocidad o hablando a un caseworker:
Oficina del Inspector General
Alto comisario de Naciones Unidas para los refugiados
Su corte de la inmigración
Linea automatizada de la corte de la inmigración
Tablero de súplicas de la inmigración
Cualquie federal y tribunales estatales
Cuaesquiera oficinas gubernamentales
Funcionarios Consulares
Los representantes legales (y buscar la representación legal o consulta)
La familia inmediata u otras personas en situaciones de emergencia

Exhibit 7

ACCESO AL TELÉFONO

Hay teléfonos en los dos pisos del Centro. Los teléfonos del piso de actividades están disponibles durante el horario de libertad de movimiento, y los teléfonos del piso de dormitorios están disponibles las 24 horas del día. Las llamadas por cobrar, las llamadas con tarjetas telefónicas y las llamadas gratuitas a la Agencia de Aplicación de Leyes de Inmigración y Aduanas (ICE, Immigration & Customs Enforcement) se pueden hacer desde cualquiera de los teléfonos. El Centro no controla ni graba las conversaciones en ningún teléfono. Para comprar tarjetas telefónicas, usted se debe anotar en la hoja de solicitudes de tarjetas telefónicas que está a la salida de la oficina de los asistentes sociales, en el piso de actividades. Los residentes también pueden recibir tarjetas telefónicas por correo postal. Hay toallitas desinfectantes disponibles para limpiar los teléfonos antes y después de usarlos. Se harán todos los arreglos para los residentes que tengan impedimentos para comunicarse (por ejemplo, problemas de habla o audición) o para residentes que deseen comunicarse con personas que tengan esos impedimentos. Para obtener estos arreglos, hable con el asistente social o llene un formulario de solicitudes de los residentes (Resident Request form). Estos formularios están en el Centro de Información para Residentes (Resident Information Center). Los formularios completos se deben colocar en el buzón con la etiqueta "Requests" (Solicitudes). Para garantizar que todos los residentes tengan la oportunidad de usar los teléfonos, las llamadas no podrán durar más de 20 minutos si hay otros residentes que esperan. Si tiene problemas para usar el sistema de teléfonos, si un teléfono no funciona bien o si las llamadas gratuitas a la ICE no funcionan, infórmelo al personal, que lo ayudará a solucionar la situación. Los amigos y familiares pueden llamar al Centro para dejar mensajes a los residentes. El número para llamar es 610.398.0310, extensión 2400. Los mensajes urgentes se entregarán al residente tan pronto como sea posible, y los mensajes que no sean urgentes se entregarán dentro de las 24 horas.

LLAMADAS TELEFÓNICAS GRATUITAS A LA ICE

Los residentes pueden comunicarse sin costo alguno con diversas organizaciones, por medio del sistema de llamadas telefónicas gratuitas de la Agencia de Aplicación de Leyes de Inmigración y Aduanas (ICE, Immigration & Customs Enforcement). Vea la información exhibida en las salas de teléfonos y en el Centro de Información para Residentes (Resident Information Center) donde encontrará instrucciones para llamar a consulados, tribunales de inmigración, la Asociación Estadounidense de Colegios de Abogados (American Bar Association), la Línea Directa del Defensor Público (Public Advocate Hotline) de la ICE, la Oficina del Inspector General (Office of the Inspector General), y otras oficinas, ya sean gubernamentales o no gubernamentales. Si necesita ayuda para usar el sistema, hable con el asistente social o llene un formulario de solicitudes de los residentes (Resident Request form). Estos formularios están en el Centro de Información para Residentes (Resident Information Center). Los formularios completos se deben colocar en el buzón con la etiqueta "Requests" (Solicitudes).

ACCESO TELEFÓNICO PARA RESIDENTES SIN RECURSOS

Además de las llamadas gratuitas con el sistema de llamadas telefónicas de la Agencia de Aplicación de Leyes de Inmigración y Aduanas (ICE, Immigration & Customs Enforcement), los residentes sin recursos también pueden hacer llamadas gratuitas a organizaciones de asistencia legal y a familiares, así como otras llamadas necesarias. Para hacer estas llamadas, hable con el asistente social o llene un formulario de solicitudes de los residentes (Resident Request form). Estos formularios están en el Centro de Información para Residentes (Resident Information Center). Los formularios completos se deben colocar en el buzón con la etiqueta "Requests" (Solicitudes).

LLAMADAS TELEFÓNICAS PARA ASISTENCIA LEGAL

Las llamadas telefónicas a su asesor legal y a los tribunales no se controlan ni se graban en ningún momento. Para hacer llamadas de asesoría legal en un lugar con mayor privacidad, hable con un asistente social o llene un formulario de solicitudes de los residentes (Resident Request form). Estos formularios están en el Centro de Información para Residentes (Resident Information Center). Los formularios completos se deben colocar en el buzón con la etiqueta "Requests" (Solicitudes).

Exhibit 8

TELEPHONE ACCESS

There are telephones on both floors of the Center. Telephones on the activity floor are available during free movement hours and the telephones on the bedroom floor are available 24 hours a day. Collect calls, calling card calls and ICE free access calls may be made from any of the telephones. The Center does not monitor or record conversations on any of the telephones. Phone cards may be purchased by signing up on the phone card request sheet posted outside the caseworkers' office on the activity floor. Residents may also receive phone cards through the mail. There are sanitizing wipes available to clean the phones before or after use. Accommodations shall be made for residents with communication impairments (ex: hearing/speech impaired), or residents who wish to communicate with such persons by speaking with your caseworker or completing a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests". To ensure that all residents have the opportunity to use the telephones, calls should be no longer than 20 minutes in length when other residents are waiting. If you have any issues using the phone system, if a telephone is not working properly or if the ICE free call access system does not appear to be working, report the issue to staff and they will assist you in rectifying the situation. Friends and family may call the Center to leave messages for residents. The number to call is 610 396 0310 extension 2400. Emergency messages will be delivered to the resident as soon as possible and non-urgent messages will be delivered within 24 hours.

ICE FREE ACCESS TELEPHONE CALLS

Residents may contact a variety of organizations at no cost, through the ICE free access telephone system. See the information posted in the telephone rooms and Resident Information Center for instructions on calling consulates, immigration courts, the American Bar Association, the ICE Public Advocate Hotline, the Office of Inspector General and a variety of other government and non-governmental offices. If you need help using the system speak with your caseworker or complete a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

INDIGENT RESIDENT TELEPHONE ACCESS

In addition to free calls available using the ICE free access telephone system, indigent residents may also make free calls to legal assistance organizations, family and other necessary calls, by speaking to a caseworker or completing a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

LEGAL ASSISTANCE TELEPHONE ACCESS

Telephone calls to your legal provider and courts are not monitored or recorded at any time. To access a more private area from which to make legal assistance calls, speak to a caseworker or complete a Resident Request form. These forms are located at the Resident Information Center. Completed forms are to be placed in the mailbox labeled "Requests".

Exhibit 9

Homeland Security

Berks Family Residential Center

The following numbers are provided as free calls to all ICE residents

Pro Bono calling hours are from Monday through Friday 9am to 6pm. To place a Pro Bono call, dial 44 and follow the voice prompts and instructions below.
Once connected to the platform:

- **Press 1 for English, marque 2 para Español.**
- **Enter your 9-digit Alien Number. If your A-number is less than 9 digits, put a "0" before your A-number**
- **Enter the Speed Dial number from the list below followed by the # Key.**
- **Then Stay on the line.**

Los números siguientes se ofrecen [illegible] llamadas gratuitas a [illegible] de ICE

Llamar horas Pro Bono son de Lunes a Viernes de 9 am a 6 de la tarde. Para colocar un Pro Bono llamada, marque 44 y siga las indicaciones de voz y las instrucciones a continuación.
Una vez conectado a la plataforma:

- **Press 1 for English, marque 2 para Español.**
- **Marque su número de identificación extranjero. Si su número es inferior a 9 dígitos, poner un "0" antes de su número**
- **Marque el número de marcación rápida seguido por el signo de número.**
- **Manténgase en la línea.**

	*American Bar Association	2150 #
	*DHS Inspector General	518 #
	*HIAS and Counsel	516 #
	*ICE Office of Professional Responsibility	5673 #
	*Joint Intake Centre	5603 #
	*Pennsylvania Immigration Resource Council (PIRC)	513 #
	*UN High Commissioner for Refugees (UNHCR) Asylum and Refugees	565 #
	*US District Court - Middle PA	1564 #
	*US District Court - Southern NY	1557 #

	*Board of Immigrations Appeals Clerks Office	571 #
	*Friends of Farmworkers	515 #
	*ICE ERO Detention Reporting and Information Line	9116 #
	*IMMIGRATION COURT INFORMATION HOTLINE	111 #
	*Nationalities Service Center (Do Not Call)	517 #
	*Pro Bono Legal Aid of Western Mission	547 #
	*US District Court - Eastern PA	1560 #
	*US District Court - Middle PA	1561 #
	*US Immigration Court - York	512 #

Exhibit 10

*US Second Circuit Court of Appeal	1558 #
Afghanistan - Embassy in Washington, DC	1728 #
Algeria - Embassy in Washington DC	192 #
Angola - Embassy in Washington DC	194 #
Armenia - Consulate in Washington DC	197 #
Austria - Embassy in Washington DC	199 #
Bahamas - Consulate in New York City	201 #
Bangladesh - Embassy in Washington DC x107	203 #
Belarus - Consulate in New York	205 #
Benin - Embassy in Washington DC	208 #
Brazil - Consulate in New York	213 #
Brunei - Embassy in Washington DC	214 #
Burkina Faso - Embassy in Washington DC	216 #
Cameroon - Embassy in Washington DC	219 #
Cape Verde - Consulate in Boston	221 #
Chad - Embassy in Washington DC	223 #
China - Consulate in New York City ext 1503	225 #
Congo, Democratic Republic - Embassy in Washington, DC	229 #
Cote d'Ivoire - Embassy in Washington DC	231 #

*USCIS Training Support Service Center	1683 #
Albania - Embassy in Washington DC	191 #
Andorra - Consulate in New York	193 #
Argentina - Embassy in Washington DC	1423 #
Australia - Consulate in Washington DC	198 #
Azerbaijan - Embassy in Washington DC	200 #
Bahrain - Embassy in Washington DC	202 #
Barbados - Consulate in New York City	204 #
Belize - Embassy in Washington DC ext 229	207 #
Bolivia - Consulate in New York	210 #
British - Consulate in New York	363 #
Bulgaria - Embassy in Washington DC	215 #
Cambodia - Embassy in Washington, DC	218 #
Canada - Consulate in New York	1981 #
Central African Republic - Embassy in Washington DC	222 #
Chile - Consulate in New York	224 #
Colombia - Consulate General in New York	226 #
Congo, Democratic Republic of - Embassy in Washington, DC	229 #
Croatia - Consulate in New York	232 #

Exhibit 11

Cuba - Permanant Mission in NY	521 #
Czech Republic - Consulate in New York	234 #
Djibouti - Embassy in Washington DC	236 #
Dominican Republic - Embassy in Washington DC	1496 #
Ecuador - Consulate in New York	239 #
Equatorial Guinea - Embassy in Washington DC	242 #
Estonia - Consulate in New York	244 #
Fiji - Consulate in New York	246 #
France - Consulate in New York	1445 #
Gambia - Embassy in Washington, DC	250 #
Germany - Consulate in New York	252 #
Greece - Consulate in New York	254 #
Guatemala - Consulate in New York	256 #
Guyana - Embassy in Washington DC	259 #
Honduras - Consulate in Chicago	542 #
Hungary - Consulate in New York	1212 #
India - Consulate in New York	264 #
Indonesia - Consulate in New York	265 #
Iraq - Consulate in Washington DC	267 #
Israel - Consulate in Philadelphia	269 #

Cyprus - Consulate in New York	233 #
Denmark - Consulate in New York	235 #
Dominica Commonwealth - Consulate in New York	237 #
Ecuador - Consulate in New Jersey	1638 #
El Salvador - Consulate in New York	241 #
Eritrea - Consulate in Washington DC	243 #
Ethiopia - Embassy in Washington DC	604 #
Finland - Consulate in New York	247 #
Gabon - Consulate in New York	249 #
Georgia - Embassy in Washington, DC	251 #
Ghana - Permanent Mission to the U.N.	253 #
Grenada - Consulate in New York	255 #
Guinea - Embassy in Washington DC	713 #
Haiti - Consulate in New York	260 #
Honduras - Consulate in New York	8936 #
Iceland - Embassy in Washington DC	263 #
India- Embassy in Washington DC	209 #
Iran - Consulate in Washington DC	266 #
Ireland - Consulate in New York	268 #
Italy - Consulate in Philadelphia	270 #

Exhibit 12

Jamaica - Consulate in New York	1210 #
Jordan - Embassy in Washington DC	721 #
Kenya - Embassy in Washington DC	727 #
Kuwait - Embassy in Washington DC	276 #
Laos - Embassy in Washington DC	728 #
Lebanon - Consulate in New York	282 #
Liberia - Consulate in New York	284 #
Lithuania - Consulate in New York	285 #
Macedonia - Consulate in New York	731 #
Malawi - Consulate in Washington DC	288 #
Maldives - Consulate in New York	291 #
Malta - Embassy in Washington DC	293 #
Mauritania - Embassy in Washington DC ext 14	295 #
Mexico - Consulate in Philadelphia Ext. 240	297 #
Moldova - Consulate in Washington DC	299 #
Mongolia - Embassy in Washington DC	301 #
Mozambique - Embassy in Washington DC	303 #
Nepal - Consulate in New York	307 #
New Zealand - Embassy in Washington DC	309 #
Niger - Embassy in Washington DC	311 #

[illegible] Consulate in New York	272 #
Kazakhstan - Consulate in New York	274 #
Korea - Embassy in Washington DC	904 #
Kyrgyz - Embassy in Washington DC	639 #
Latvia - Embassy in Washington DC	281 #
Lesotho - Embassy in Washington DC	283 #
Libya - Mission in New York, NY	522 #
Luxembourg - Consulate in New York	286 #
Madagascar - Embassy in Washington DC	289 #
Malaysia - Consulate in New York	290 #
Mali - Embassy in Washington DC	292 #
Marshall Islands - Embassy in Washington DC	294 #
Mauritius - Embassy in Washington DC	296 #
Micronesia - Embassy in Washington DC	298 #
Monaco - Consulate in New York	300 #
Morocco - Consulate in New York	302 #
Nauru - Embassy in New York	306 #
Netherlands - Consulate in New York	308 #
Nicaragua - Consulate in New York	310 #
Nigeria - Embassy in Washington DC	312 #

Exhibit 13

	Northern Sudan - Embassy in Washington DC	345 #		Norway - Embassy in Washington DC	313 #
	Oman- Embassy in Washington DC	314 #		Pakistan - Consulate in New York	819 #
	Pakistan - Embassy in Washington DC	725 #		Palau - Embassy in Washington DC	316 #
	Panama - Embassy in Washington DC	317 #		Papua New Guinea - Embassy in Washington DC	318 #
	Paraguay - Consulate in New York	319 #		Peru - Consulate in New York	320 #
	Philippines - Consulate in New York	321 #		Poland - Consulate in Chicago	555 #
	Portugal - Consulate in Washington DC	323 #		Qatar - Consulate in Washington DC	324 #
	Romania - Consulate in New York City	325 #		Russia - Consulate in New York	326 #
	Rwanda - Embassy in Washington DC	327 #		Saint Kitts and Nevis - Embassy in Washington DC	328 #
	Saint Lucia - Consulate in New York	329 #		Saint Vincent and the Grenadines - Consulate in New York	330 #
	Samoa - Mission in New York	670 #		San Marino - Consulate in New York	1096 #
	Saudi Arabia - Consulate in New York	333 #		Senegal - Embassy in Washington DC	334 #
	Serbia - Embassy in Washington DC	693 #		Seychelles - Consulate in New York	335 #
	Sierra Leone - Embassy in Washington DC	336 #		Singapore - Consulate in New York	337 #
	Slovak Republic - Embassy in Washington DC	677 #		Solomon Islands - Consulate in New York	1938 #
	South Africa - Consulate in New York	342 #		Spain - Consulate in New York	343 #
	Suriname - Consulate in Miami	345 #		Swaziland - Embassy in Washington DC	347 #
	Sweden - Consulate in New York	348 #		Switzerland - Consulate in New York	349 #
	Taipei (Taiwan) Economic & Cultural Office -Washington DC	351 #		Tajikistan - Consulate in Washington DC	353 #

Exhibit 14

Tanzania - Embassy in Washington DC	353 #
The Holy See - Embassy in Washington DC	619 #
Tonga - UN Permanent Mission in New York	687 #
Tunisia - Embassy in Washington, DC	1895 #
Uganda - Consulate in Washington DC	360 #
United Arab Emirates - Embassy in Washington DC	362 #
Uzbekistan - Consulate in New York	365 #
Venezuela - Consulate in New York	367 #
Yemen - Embassy in Washington DC	369 #

Thailand - Consulate in New York	354 #
Togo - Embassy in Washington DC	355 #
Trinidad & Tobago - Consulate in New York	356 #
Turkey - Consulate in New York	358 #
Ukraine - Consulate in New York	361 #
Uruguay - Consulate in New York	364 #
Venezuela - Consulate in New York	332 #
Vietnam - Consulate in Washington DC	368 #
Zambia - Embassy in Washington DC	371 #

Exhibit 15

Berks County Residential Center
Standard Operating Procedures and Policies

Chapter:	Training	**Policy #:**	40.085
Subject:	Resident Rooms / Room Checks	**Effective Date:**	11/01/2014
Program:	Family Residential Program	**Revised Date:**	11/01/2014

Approved: Signature on File
Diane Edwards, ***Executive Director***

Policy

It is the policy of the Berks County Residential Center (BCRC) and the Pennsylvania Department of Public Welfare (DPW) that observational checks be conducted on every resident during awake and sleeping hours. The following procedures will explain daytime and nighttime checks and other information that pertains to such.

Definitions

Clearing an Area/Room – The verifying of an area/room that it is empty of all residents. This requires physically entering an area/room and determining visually that there are no residents present.

Day Time Sweeps – The visual monitoring of each area/room in a post area to ensure the safety of the residents, proper behaviors, and the security of the facility.

Room Checks – To verify that each resident is accounted for and to ensure that they are safe. Room checks are done to each individual resident visually and then documented down once completed on a Resident Room Check Sheet.

Procedure

1. **Day Time Sweeps**
   a. Staff is responsible for completing ten to fifteen (10-15) minute sweeps during daytime hours once resident room checks are no longer being performed in the bedrooms and when any other resident area in the building is being occupied.
   b. If a staff member must enter a resident's room or any other room for any reason, or check if a resident is present, it should be done quietly and not overly aggressive.
   c. Lights must always remain on in a room with residents in it for any activity. If lights are out during an activity, cameras that could normally protect anyone from allegations cannot properly view the area to help them. This is mainly for movies but can apply to any other activity as well.

d. Checks on bedrooms during the daytime should include walking to the entrance of each room and briefly checking into them to verify that any resident in that room is safe.

- **i.** Care should be taken to not spend too much time at any room when the occupants are of the opposite gender.
- **ii.** Professionalism will be the key when checking rooms during the daytime as too not violate any resident's privacy.
- iii. Staff members should use the cameras throughout the facility to protect them when doing checks.

2. Clearing an Area

a. All places within the area where a resident potentially could be must be checked to verify that the area is clear of any residents.

b. In the case of resident bedrooms, the bathroom must be physically checked as well in order to clear that entire area.

c. Resident bedrooms must only be cleared by the same gender staff as the occupants of that particular room. In rooms where there are adults and children the gender that will be followed is that of the adult.

- **i.** If no same gender staff member is available, the area cannot be cleared until one becomes available.
- **ii.** If no staff member is available for any number of reasons, a Supervisor should be contacted for further instructions on how to handle the clearing of the area.

d. The only way a staff member should enter the bedroom/ bathrooms of an opposite gender resident is during an emergency. This should include, but not limited to fire, medical emergency, some type of weather emergency, etc.

e. Residents should never be allowed to re-enter an area that has been cleared without a staff escort.

3. Night Time Resident Room Checks

a. Staff is responsible for completing fifteen (15) minute room checks during nighttime hours. This may vary if a resident is placed on a level of observation that calls for more frequent checks.

b. During these checks staff are to verify that each resident is accounted for and to ensure they are safe.

c. This may require the staff entering the room to view each resident.

d. At no time should you do a check on a room of the opposite gender. In rooms where there are adults and children the gender that will be followed is that of the adult.

e. Staff is to complete all appropriate forms. Forms should be completed after the checks is completed and only filled out by the staff that completed the check.

4. Room Guidelines and Information

a. Infant / toddler bedtime 2030 hrs everyday of the week.

b. Juvenile bedtime is 2100 hrs Sunday through Thursday and 2130 hrs Friday and Saturday.

c. There is no set bedtime for adults.

d. Radios shall be turned off by 2030 hrs and other noise shall be kept at a minimum at this time.

e. Infants must sleep in a crib. Toddlers must sleep in their own bed with bedrails. Neither is permitted to sleep in the same bed as their parent. If this is discovered during a check it must be corrected and the resident reminded of the rule. If this becomes habitual with the same residents a report should be written.

f. Residents are not allowed in other residents rooms. Although, parents may enter their children's room with staff permission. Adults may never enter another adult room, no exceptions.

g. Residents can replace items such as: toilet paper, paper towels, soap etc. on their own. If they can't and staff needs to enter the room, staff should do this at meal times when no residents are present.

h. Residents 12 years old and younger will be housed in a room with their parent.

i. Like aged juveniles of the same gender shall be placed in rooms together. (12, 13, 14 and 15, 16, 17 if possible)

Exhibit 16

Berks County Residential Center
Standard Operating Procedures and Policies

Chapter:	Training	**Policy #:**	40.085
Subject:	Resident Rooms / Room Checks	**Effective Date:**	11/01/2014
Program:	Family Residential Program	**Revised Date:**	4/28/2016

Approved: Signature on File
Diane Edwards, ***Executive Director***

Policy

It is the policy of the Berks County Residential Center (BCRC) and the Pennsylvania Department of Human Services (DHS) that observational checks be conducted on every resident during awake and sleeping hours. The following procedures will explain daytime and nighttime checks and other information that pertains to such.

Definitions

Clearing an Area/Room – The verifying of an area/room that it is empty of all residents. This requires physically entering an area/room and determining visually that there are no residents present.

Day Time Sweeps – The visual/auditory monitoring of each area/room in a post area to ensure the safety of the residents, proper behaviors, and the security of the facility.

Night Time Hall Sweeps – The visual/auditory monitoring of each resident bedroom during sleeping hours. This is done without entering the room or shining of any lights, in order to ensure the safety of the residents, proper behaviors, and the security of the facility.

Room Checks – To verify that each resident is accounted for and to ensure that they are safe. Room checks are done to each individual resident visually and then documented once completed on a Resident Room Check Sheet.

Procedure

1. **Day Time Sweeps**
    a. Staff is responsible for completing ten to fifteen (10-15) minute sweeps during daytime hours once resident room checks are no longer being performed in the bedrooms and when any other resident area in the building is being occupied.

b. If a staff member must enter a resident's room or any other room for any reason, or check if a resident is present, it should be done quietly and not overly aggressive by same gender staff.

c. Lights must always remain on in a room with residents in it for any activity. If lights are out during an activity, cameras that could normally protect anyone from allegations cannot properly view the area to help them. This is mainly for movies but can apply to any other activity as well.

d. Checks on bedrooms during the daytime should include walking to the entrance of each room and briefly checking into them to verify that any resident in that room is safe.

- **i.** Care should be taken to not spend too much time at any room when the occupants are of the opposite gender.
- **ii.** Professionalism will be the key when checking rooms during the daytime as too not violate any resident's privacy.
- iii. Staff members should stay in camera sight when doing checks.

2. Clearing an Area

a. All places within the area where a resident potentially could be must be checked to verify that the area is clear of any residents.

b. In the case of resident bedrooms, the bathroom must be physically checked as well in order to clear that entire area.

c. Resident bedrooms must only be cleared by the same gender staff as the occupants of that particular room. In rooms where there are adults and children the gender that will be followed is that of the adult.

- **i.** If no same gender staff member is available, the area cannot be cleared until one becomes available.
- **ii.** If no staff member is available for any number of reasons, a Supervisor should be contacted for further instructions on how to handle the clearing of the area. Possibly using two staff.

d. The only way a staff member should enter the bedroom/ bathrooms of an opposite gender resident is during an emergency. This should include, but not limited to fire, medical emergency, some type of weather emergency, etc.

e. Residents should never be allowed to re-enter an area that has been cleared without a staff escort.

3. Night Time Resident Room Checks

a. Staff is responsible for completing hourly room checks on every half hour (830pm, 930pm, 1030pm, etc.) during nighttime hours. This may vary if a resident is placed on a level of observation that calls for more frequent checks. Between the hourly room checks, staff must perform hallway sweeps every fifteen (15) minutes. The check sheet must be initialed for all checks and night-time sweeps.

b. During these checks staff are to verify that each resident is accounted for and to ensure they are safe.

c. This may require the staff entering the room to view each resident.

d. At no time should you do a check on a room of the opposite gender except in an emergency as stated above. In rooms where there are adults and children, whom are 12 years old and younger, the gender of staff completing the room check that will be followed is that of the adult. In rooms that house adults and children whom are 13 years and older, and of opposite genders, both a male and a female staff shall complete the room check, simultaneously.

e. A room check will be performed by illuminating the floor or the ceiling when checking a resident. At no time shall staff shine any light into any residents faces or person.

f. Staff is to complete all appropriate forms. Forms should be completed after the check is completed and only filled out by the staff that completed the check.

4. Room Guidelines and Information

a. Infant / toddler bedtime 2030 hrs every day of the week.

b. Juvenile bedtime is 2100 hrs Sunday through Thursday and 2130 hrs Friday and Saturday.

c. There is no set bedtime for adults.

d. Resident radios shall be turned off by 2030 hrs and other noise shall be kept at a minimum at this time.

e. Infants must sleep in a crib. Toddlers must sleep in their own bed with bedrails. Neither is permitted to sleep in the same bed as their parent. If this is discovered during a check it must be corrected and the resident reminded of the rule. If this becomes habitual with the same residents a report should be written.

f. Residents are not allowed in other residents rooms. Although, parents may enter their children's room with staff permission. Adults may never enter another adult room, no exceptions.

g. Residents can replace items such as: toilet paper, paper towels, soap etc. on their own. If they can't and staff needs to enter the room, staff should do this at meal times when no residents are present.

h. Residents 12 years old and younger will be housed in a room with their parent.

i. Like aged juveniles of the same gender shall be placed in rooms together with their parent. (12, 13, 14 and 15, 16, 17 if possible)

Exhibit 17

Cycle #1 16	29-May SUNDAY	30-May MONDAY	31-May TUESDAY	1-Jun WEDNESDAY	2-Jun THURSDAY	3-Jun FRIDAY	4-Jun SATURDAY
BREAKFAST							
	OMELET or PANCAKES ***CHEESE**CEREAL**MILK**JUICE**COFFEE**GRAIN BARS**YOGURT**FRUIT**OATMEAL**PEANUT BUTTER**JELLY**WHEAT BREAD***						
LUNCH							
Meat Entrée	(2) 2 oz. HOT DOGS/WW ROLL	GRILLED CHICKEN FILET	2 oz. GRILLED CHEESE SANDWICH	3 oz. CHICKEN STEAK SANDWICH	5. 05 oz. PIZZA	1 srv. SAUSAGE SANDWICH	3 oz. CHICKEN TENDERS
Vegetarian Entrée	MEATLESS HOT DOG	BLACKBEAN BURGER	GRILLED CHEESE SANDWICH	VEGGIE BURGER	VEGETARIAN NOODLE SOUP	MEATLESS SAUSAGE	MEATLESS CHICKEN
	1/2 c. Baked Beans	1/2 c. Buttered Noodles	4 oz. TOMATO SOUP	1/2 c. Carrots	1/2 c. Vegetable Sticks	3 oz. FRENCH FRIES	1/2 c. BAKED BEANS
	1/2 c. Cole Slaw	1/2 c. Peas & Carrots	1/2 c. GREEN BEANS			STEAK ROLL	1 ea. Dinner Roll
		1 ea. Dinner Roll				2 oz. PEPPERS AND ONIONS	
#12/3oz	RICE / BEANS	RICE / BEANS	RICE / BEANS	#8RICE / BEANS	#8RICE / BEANS	RICE /BLK BEANS	RICE / BEANS
	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS
	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR
			CHICKEN	SHREDDED CHEESE	HARD COOKED EGG	SHREDDED CHEESE	POTATO SALAD
DINNER							
Meat Entrée	1 ea. HOT POCKET BEEF	6 oz. Hamburger Helper	5 oz. BREADED CHICKEN LEGS(2ea)	1 srv. Stuffed Peppers	Chicken Nuggets (5ea)	3 oz BAKED TURKEY HAM	3.6 oz(6ea) CHEESE RAVIOLI
Vegetarian Entrée	PIZZA	MAC & CHEESE	MEATLESS CHICKEN	RAVIOLI	EGGROLL	GARDEN BURGER	CHEESE RAVIOLI
	1/2 c. Broccoli	1 ea. GOGURTS®	1/2 c. AU GRAUTIN POTATO#8	1/2 c. Corn	1/2 c. Broccoli	1 ea. GOGURTS®	1/2 c California Blend
			1/2 c. 3 Bean Salad		1 ea. EGGROLL	1/2 c Peas	
					SWEET &SOUR	1 ea. Dinner Roll	
#12/3oz	RICE / BEANS	RICE / BEANS	RICE / BEANS	RICE / BEANS	#10RICE / BEANS	#8RICE /BEANS	RICE / BEANS
	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS
	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR
							GRATED CHEESE
				PASTA SALAD		PASTA SALAD	

Salad Bar contains a minimum of: 1 protein, 1 dairy, 2 vegetable, 1 fruit, lettuce, soup and a salad topping

Peanut butter, jelly, bread, tortillas and whole fruit are available at all meals.

Salad Bar has a weekly Rotation Schedule

Cycle #2
16

	5-Jun SUNDAY	6-Jun MONDAY	7-Jun TUESDAY	8-Jun WEDNESDAY	9-Jun THURSDAY	10-Jun FRIDAY	11-Jun SATURDAY
BREAKFAST							
	OMELET or PANCAKES ***CHEESE**CEREAL**MILK**JUICE**COFFEE**GRAIN BARS**YOGURT**FRUIT**OATMEAL**PEANUT BUTTER**JELLY**WHEAT BREAD***						
LUNCH							
Meat Entrée	3 oz. STEAK SANDWICH	CHICKEN PATTY on WW Roll	3 oz. HOT TURKEY w/ 1 sl. WW Bread	3 oz. BBQ CHICKEN SANDWICH	3 oz. HOT ROAST BEEF	3.6 oz. Breaded Fish on WW Roll	(2) 2 oz HOT DOG/WW ROLL
Vegetarian Entrée	EGG ROLL	MEATLESS CHICK PATTY	MEATLESS CHICKEN	GRILLED TUNA & CHEESE	GARDEN BURGER	MAC & CHEESE	MEATLESS HOT DOG
	STEAK ROLL	#10 Brown Rice	1/2 c. Sweet Potato	5 ea. Potato Cakes	2 oz. GRAVY	#10 MAC & CHEESE	1 oz. Potato Chips
	3 oz. TATER TOTS	1/2 c. Carrots	2 oz. Gravy	1/2 c. Fresh Veg. Sticks	1/2 c. MASHED POTATO	1/2 c. STEWED TOMATO	1/2 c. Sauteed Cabbage
	1/2 c. Green Beans		1/2 c. Broccoli		1/2 c. Corn		
#12/3oz	RICE / BEANS	RICE / BEANS	RICE / BEANS	RICE / BEANS	RICE / BEANS	RICE / BEANS	RICE / BEANS
	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS
	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR
	CHEESE,PICKLES	HARD COOKED EGG	CRANBERRY SAUCE	PICKLES	HARD COOKED EGG	TARTER SAUCE	
DINNER							
Meat Entrée	4 oz. CORN DOGS (6)	Hamburger on WW Roll	2 ea. MEATBALLS	2 oz. TACO with 2oz. Salsa, 2 oz. Tomato & Lettuce, 2 oz. Che	1 srv. STUFFED CHICKEN	3 oz. MEATBALL SANDWICH	5oz. BEEF&BEAN BURRITO
Vegetarian Entrée	RAVIOLI	VEGITABLE BURGER	EGGPLANT & PASTA	LASAGNA	MEATLESS CHICKEN	MEATLESS SAUSAGE	PIEROGIES & GARDEN BURGER
	1/2 C. Peas	1/2 c. Roasted Potatoes	6 oz. PASTA/2oz SAUCE	1/2 c. Peas & Carrots	1/2 c. Broccoli, Cauliflower, Carrot Mix	SAUCE/ROLL	1/2 c. Seasoned Black Beans
			1 ea. Dinner Roll	1 ea. GoGurts		3 oz. French Fries	
#12/3oz	RICE / BEANS	RICE / BEANS	RICE / BEANS	RICE / BEANS	RICE / BEANS	RICE / BEANS	RICE / BEANS
	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS	TORTILLAS
	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR	SALAD BAR
		PASTA SALAD	GRATED CHEESE	APPLESAUCE		GRATED CHEESE	TURKEY
						CHEDDAR	ROTINI SALAD

Salad Bar contains a minimum of: 1 protein, 1 dairy, 2 vegetable, 1 fruit, lettuce, soup and a salad topping

Peanut butter, jelly, bread, tortillas and whole fruit are available at all meals.

Salad Bar has a weekly Rotation Schedule

Exhibit 18

Aladdin
FOOD MANAGEMENT SERVICES, LLC

To: Diane Edwards, Executive Director
Dave Smith, Program Director
Patricia Pepe Reiser, Department of Homeland Security

From: Bonnie J. Bland, RD, Corporate Dietitian

Date: August 6, 2015

Subject: Berks Heim Resident Center Menus

A review and nutrition analysis has been completed of the current Berks Resident Menu (ICE/DRO). The data was based on individual average age of 25 years and a basic meal pattern. Based on information provided, the menus meet and/or exceed 2400 calories and meet the RDA/DRI's as outlined in the analysis. The menu cycles were also reviewed for Dental/Mechanical Soft, Diabetic, Low Fat, Low Cholesterol, High Fiber, Vegetarian and Lacto Ovo diets. The current menus are adequate to meet the needs of the Residential Center population with adjustments to any special diets.

Sincerely,

Bonnie J. Bland, RD

Bonnie J. Bland RD

cc: Alan Roberts, District Manager

Aladdin Food Management Services, LLC • 21 Armory Drive • Wheeling, WV 26003
Phone (304) 242-6200 • Fax (304) 242-1439 *www.aladdinfood.com*

Exhibit 19

pennsylvania
DEPARTMENT OF AGRICULTURE

Commonwealth of Pennsylvania
Department of Agriculture
Bureau of Food Safety and Laboratory Services

2301 N CAMERON ST
HARRISBURG, PA 17110
717-787-4315

Retail Food Facility Inspection Report

Facility: BERK'S COUNTY RESIDENTIAL CENTER (ICE) **Facility ID:** 23312
Owner: COUNTY OF BERKS
Address: 1040 BERKS RD
City/State: LEESPORT PA
Zip: 19533 **County:** Berks **Region:** Region 7
Phone: (610) 396-0310

Insp. ID:
Insp. Date: 4/14/2016
Insp. Reason: Regular
No. of Risk Factors: 0
No. of Repeat Risk Factors: 0
Overall Compliance: IN

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Risk Factors are important practices and procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public Health Intervention are control measures to prevent foodborne illness or injury.

IN = In Compliance, OUT = Out of Compliance, N/O = Not Observed, N/A = Not Applicable, C = Corrected On Site, R = Repeat Violation

Supervision	
1. Person in charge present, demonstrates knowledge, & performs duties	In
Employee Health	
2. Management, food employee & conditional food employee knowledge, responsibilities & reporting	In
3. Proper use of restriction & exclusion	In
4. Procedure for responding to vomiting & diarrheal events	In
Good Hygienic Practices	
5. Proper eating, tasting, drinking, or tobacco use	In
6. No discharge from eyes, nose, & mouth	In
Preventing Contamination by Hands	
7. Hands clean & properly washed	In
8. No bare hand contact with RTE food or a pre-approved alternate method properly followed	In
9. Adequate handwashing sinks properly supplied & accessible	In
Approved Source	
10. Food obtained from approved source	In
11. Food received at proper temperature	N/O
12. Food in good condition, safe, & unadulterated	In
13. Required records available: shellstock tags, parasite destruction	N/A
Protection From Contamination	
14. Food separated & protected	In
15. Food-contact surfaces: cleaned & sanitized	In
16. Proper disposition of returned, previously served, reconditioned, & unsafe food	In
Time/Temperature Control for Safety	
17. Proper cooking time & temperatures	N/O
18. Proper reheating procedures for hot holding	N/O
19. Proper cooling time & temperatures	N/O
20. Proper hot holding temperatures	In
21. Proper cold holding temperatures	In
22. Proper date marking & disposition	In
23. Time as a public health control: procedures & records	N/A
Consumer Advisory	
24. Consumer advisory provided for raw / undercooked foods	N/A
Highly Susceptible Population	
25. Pasteurized foods used; prohibited foods not offered	N/A
Food/Color Additives & Toxic Substances	
26. Food additives: approved & properly used	N/A
27. Toxic substances properly identified, stored & used	In
Conformance with Approved Procedures	
28. Compliance with variance/specialized process/HACCP	N/A

GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Safe Food & Water	
29. Pasteurized eggs used where required	In
30. Water & ice from approved source	In
31. Variance obtained for specialized processing methods	In
Food Temperature Control	
32. Proper cooling methods used; adequate equipment for temperature control	In
33. Plant food properly cooked for hot holding	In
34. Approved thawing methods used	In
35. Thermometers provided & accurate	In
Food Identification	
36. Food properly labeled; original container	In
Prevention of Food Contamination	
37. Insects, rodents & animals not present	In
38. Contamination prevented during food preparation, storage & display	In
39. Personal cleanliness	In
40. Wiping cloths: properly used & stored	In
41. Washing fruit & vegetables	In
Proper Use of Utensils	
42. In-use utensils: properly stored	In
43. Utensils, equipment & linens: properly stored, dried & handled	In
44. Single-use/single-service articles: properly stored & used	In
45. Gloves used properly	In
Utensils, Equipment & Vending	
46. Food & non-food contact surfaces cleanable, properly designed, constructed, & used	In
47. Warewashing facilities: installed, maintained & used; sanitizer test method/strips/kit available	In
48. Non-food contact surfaces clean	In
Physical Facilities	
49. Hot & cold water available; adequate pressure	In
50. Plumbing installed; proper backflow devices	In
51. Sewage & waste water properly disposed	In
52. Toilet facilities: properly constructed, supplied, & cleaned	In
53. Garbage & refuse properly disposed; facilities maintained	In
54. Physical facilities installed, maintained, & clean	In
55. Adequate ventilation & lighting; designated areas used	In

FOOD EMPLOYEE CERTIFICATION

Certified Food Employee		**Certificate**	
56. Certified Food Employee employed; acts as PIC; accessible	In	57. Certified food manager certificate: valid & properly displayed	In

Visit Date	Person In Charge	Person In Charge Signature	Sig. Date	Sanitarian	Sanitarian Signature	Sig. Date	Time In	Time Out
4/14/2016	Kristin Baker	K Baker	4/14/2016	Michelle Cobb	Michelle Cobb	4/14/2016	10:30 AM	11:30 AM

pennsylvania
DEPARTMENT OF AGRICULTURE

Commonwealth of Pennsylvania
Department of Agriculture
Bureau of Food Safety and Laboratory Services

2301 N CAMERON ST
HARRISBURG, PA 17110
717-787-4315

Retail Food Facility Inspection Report

Facility: BERK'S COUNTY RESIDENTIAL CENTER (ICE) **Facility ID:** 23312
Owner: COUNTY OF BERKS
Address: 1040 BERKS RD
City/State: LEESPORT PA
Zip: 19533 **County:** Berks **Region:** Region 7
Phone: (610) 396-0310

Insp. ID:
Insp. Date: 4/14/2016
Insp. Reason: Regular
No. of Risk Factors: 0
No. of Repeat Risk Factors: 0
Overall Compliance: IN

PUBLISHED COMMENTS

No violations were observed at the time of this inspection.

Report has been reviewed with the person in charge.

The compliance status of this facility and a copy of this inspection report will be posted on the PA Department of Agriculture website.

pennsylvania
DEPARTMENT OF AGRICULTURE

Commonwealth of Pennsylvania
Department of Agriculture
Bureau of Food Safety and Laboratory Services

2301 N CAMERON ST
HARRISBURG, PA 17110
717-787-4315

Retail Food Facility Inspection Report

Facility: BERKS COUNTY RESIDENTIAL CENTER (ICE) **Facility ID:** 23312
Owner: COUNTY OF BERKS
Address: 1040 BERKS RD
City/State: LEESPORT PA
Zip: 19533 **County:** Berks **Region:** Region 7
Phone: (610) 396-0310

Insp. ID:
Insp. Date: 11/9/2015
Insp. Reason: Regular
No. of Risk Factors: 0
No. of Repeat Risk Factors: 0
Overall Compliance: IN

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Risk Factors are important practices and procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public Health Intervention are control measures to prevent foodborne illness or injury.

IN = In Compliance, OUT = Out of Compliance, N/O = Not Observed, N/A = Not Applicable, C = Corrected On Site, R = Repeat Violation

Supervision	
1. Person in charge present; demonstrates knowledge, & performs duties	In
Employee Health	
2. Management; food employee & conditional food employee knowledge, responsibilities & reporting	In
3. Proper use of restriction & exclusion	In
4. Procedure for responding to vomiting & diarrheal events	In
Good Hygienic Practices	
5. Proper eating, tasting, drinking, or tobacco use	In
6. No discharge from eyes, nose, & mouth	In
Preventing Contamination by Hands	
7. Hands clean & properly washed	In
8. No bare hand contact with RTE food or a pre-approved alternate method properly followed	In
9. Adequate handwashing sinks properly supplied & accessible	In
Approved Source	
10. Food obtained from approved source	In
11. Food received at proper temperature	N/O
12. Food in good condition, safe, & unadulterated	In
13. Required records available: shellstock tags, parasite destruction	N/A
Protection From Contamination	
14. Food separated & protected	In
15. Food-contact surfaces: cleaned & sanitized	In
16. Proper disposition of returned, previously served, reconditioned, & unsafe food	In
Time/Temperature Control for Safety	
17. Proper cooking time & temperatures	N/O
18. Proper reheating procedures for hot holding	N/O
19. Proper cooling time & temperatures	N/O
20. Proper hot holding temperatures	N/O
21. Proper cold holding temperatures	In
22. Proper date marking & disposition	In
23. Time as a public health control: procedures & records	N/A
Consumer Advisory	
24. Consumer advisory provided for raw / undercooked foods	N/A
Highly Susceptible Population	
25. Pasteurized foods used; prohibited foods not offered	N/A
Food/Color Additives & Toxic Substances	
26. Food additives: approved & properly used	N/A
27. Toxic substances properly identified, stored & used	In
Conformance with Approved Procedures	
28. Compliance with variance/specialized process/HACCP	N/A

GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Safe Food & Water	
29. Pasteurized eggs used where required	In
30. Water & ice from approved source	In
31. Variance obtained for specialized processing methods	In
Food Temperature Control	
32. Proper cooling methods used; adequate equipment for temperature control	In
33. Plant food properly cooked for hot holding	In
34. Approved thawing methods used	In
35. Thermometers provided & accurate	In
Food Identification	
36. Food properly labeled; original container	In
Prevention of Food Contamination	
37. Insects, rodents & animals not present	In
38. Contamination prevented during food preparation, storage & display	In
39. Personal cleanliness	In
40. Wiping cloths: properly used & stored	In
41. Washing fruit & vegetables	In
Proper Use of Utensils	
42. In-use utensils: properly stored	In
43. Utensils, equipment & linens: properly stored, dried & handled	In
44. Single-use/single-service articles: properly stored & used	In
45. Gloves used properly	In
Utensils, Equipment & Vending	
46. Food & non-food contact surfaces cleanable, properly designed, constructed, & used	In
47. Warewashing facilities: installed, maintained & used; sanitizer test method/strips/kit available	In
48. Non-food contact surfaces clean	In
Physical Facilities	
49. Hot & cold water available; adequate pressure	In
50. Plumbing installed; proper backflow devices	In
51. Sewage & waste water properly disposed	In
52. Toilet facilities: properly constructed, supplied, & cleaned	In
53. Garbage & refuse properly disposed; facilities maintained	In
54. Physical facilities installed, maintained, & clean	In
55. Adequate ventilation & lighting; designated areas used	In

FOOD EMPLOYEE CERTIFICATION

Certified Food Employee	
56. Certified Food Employee employed; name on PIC, accessible	In
Certificate	
57. Certified food manager certificate: valid & properly displayed	In

Visit Date	Person In Charge	Person In Charge Signature	Sig. Date	Sanitarian	Sanitarian Signature	Sig. Date	Time In	Time Out
11/9/2015	Kristin Baker		11/9/2015	Michelle Cobb	Michelle Cobb	11/9/2015	9:15 AM	10:30 AM

11/9/2015 10:24:59 AM

pennsylvania
DEPARTMENT OF AGRICULTURE

Commonwealth of Pennsylvania
Department of Agriculture
Bureau of Food Safety and Laboratory Services

2301 N CAMERON ST
HARRISBURG, PA 17110
717-787-4315

Retail Food Facility Inspection Report

Facility: BERK'S COUNTY RESIDENTIAL CENTER (ICE) **Facility ID:** 23312
Owner: COUNTY OF BERKS
Address: 1040 BERKS RD
City/State: LEESPORT PA
Zip: 19533 **County:** Berks **Region:** Region 7
Phone: (610) 396-0310

Insp. ID:
Insp. Date: 11/9/2015
Insp. Reason: Regular
No. of Risk Factors: 0
No. of Repeat Risk Factors: 0
Overall Compliance: IN

TEMPERATURE OBSERVATIONS

Item	Location	Temp	Item	Location	Temp	Item	Location	Temp
Milk/Dairy	Other	39°F	Cheese	Refrigerator	38°F			

PUBLISHED COMMENTS

No violations were observed at the time of this inspection.

Report has been reviewed with the person in charge.

The compliance status of this facility and a copy of this inspection report will be posted on the PA Department of Agriculture website.

Exhibit 20

WASH TEMPERATURE
WARM
HOT
COLD
LOAD SIZE
SMALL
MEDIUM
MINI
EXTRA LARGE
RESET
SOAK / PREWASH
REGULAR
HANDWASH / DELICATE
PERMANENT PRESS
CYCLE SELECTION
PULL KNOB TO START - PUSH KNOB TO STOP
Speed Queen
Commercial Heavy Duty • Super Capacity Plus • 2 Speed • Stainless Steel
This washing machine is to be used for dirty rags, mopheads, etc. No resident clothing allowed.
Esta lavadora se va a utilizar para trapos sucios, mopheads, etc. No ropa residente permitido.

Exhibit 21

December 7, 2015

Berks FRC Housing Classification (head of households and children)

This housing classification maintains family unity upon intake. This classification applies to Berks Family Residential Center only.

Housing assignment classifications comprise four groups of families:

- Group 1 includes head of households whose children are 0-10 years of age,
- Group 2 includes head of households whose children are 11 to 13 years old,
- Group 3 includes head of households whose children are 14 to 17 years old,
- Group 4 includes head of households whose children are different genders and different ages.

NOTE:

- Adults age 18-to-26 CANNOT room with other families that include UNRELATED 15-to-17 year old children who are not the same gender as the unrelated adult.

- Adult genders may never be mixed when assigning housing.

  - All Group 1 families are housed with other Group 1 families without regard to the child's gender.

  - Group 2 families are housed with other Group 2 families according to the child's gender. UNRELATED male and female children age 11 to 13 CANNOT room in the same bedroom.

  - Group 3 families are housed with other Group 3 families according to the child's gender. UNRELATED male and female children age 14 to 17 CANNOT room in the same bedroom.

  - Group 2 and Group 3 families *may* room together if all family members are female.

  - Group 4 families are housed with other Group 4 families but:

    - Males 11 and older CANNOT room with UNRELATED female(s).

    - Males 14 and older CANNOT room with UNRELATED younger male(s) (13 or younger).

    - Males 10 and younger may room with UNRELATED female(s).

Consult the on-site Berks ERO SDDO and the on-site JFRMU representative in any circumstances not outlined in Groups 1-4, or if other questions arise as to suitability of proposed assignments.

All counselors must be well trained in the above housing classification rules and confirm familial relationship and adherence to the above age/gender requirements during room checks. Facility staff must conduct regular and ongoing audits, at least weekly, of all housing assignments to ensure adherence to the above guidance.

Exhibit 22

Berks County Residential Center
Standard Operating Procedures and Policies

Chapter:	Housekeeping and Voluntary Work Program	**Policy #:**	12.010
Subject:	Voluntary Work Program	**Effective Date:**	5/30/2008
Program:	Family Residential Program	**Revised Date:**	12/1/2013

Approved: Signature on File
Diane Edwards, ***Executive Director***

Policy

The Berks County Residential Center (BCRC) shall provide a Voluntary Work Program for adults, residents 18 years of age and older, with the opportunity to work and receive compensation during their stay.

Program Objectives

- Adults who are physically and mentally able to work shall be provided the opportunity to participate in a voluntary work program.
- Essential operations and services improve through the productivity of residents while contributing to the orderly operation of the facility.

1. Work Assignments include, but are not limited to:
   a. Food Service
   b. General Building and Grounds Maintenance
   c. Housekeeping

2. Selection
   a. Procedures for selection shall be based on the following:
      i. Work assignment does not interfere with the resident's primary responsibility of child care;
      ii. Overall behavior, compliance and attitude;
      iii. Relevant information from case file;
      iv. Requirements of the job; and
      v. IHSC and Program Director's approval.
   b. Selection shall not discriminate based on non-merit factors such as social groups, race, religion, sex, physical/mental handicaps or national origin. Acceptance of assignments is voluntary.

3. Work Details and Schedule
   a. Schedules shall be posted, containing assignments and work details. Temporary assignments shall be scheduled as needed.
   b. Residents shall not work more than 8 hours per day or 40 hours per week.
   c. Number of participants and the number of work assignments will be determined by the number of residents participating and the amount of work available.
   d. Residents shall be required to sign a voluntary work program agreement before each new assignment.

4. Removal From Work Program
   a. Procedures for the removal of participants from the work program will be determined based on the following:
      i. Non-Compliance of facility policy and programming.
      ii. Disruptive behavior.
      iii. Unsatisfactory performance.
      iv. Inability to perform work details.
      v. Unexcused absences from scheduled work.
      vi. Prevention of potential injuries to the resident.

5. Compensation
   a. $1.00 per day shall be transferred to the residents account weekly.
   b. Residents that are transferred or released will receive pay owed to them as per the facility's Personal Fund policy.

6. Voluntary Work Program Orientation
   a. All assigned work shall be performed within the applicable local, state and federal health and safety standards. The facility shall provide instruction and safety equipment that meets OSHA standards.
   b. Instructional sessions shall be held with all new participants (and/or new work assignments) specific to the job assignment, safety, reporting injuries and overall program expectations. Hands on practical application shall also be provided.
   c. Maintenance personnel shall provide project specific instructions, safety practices of equipment, and expectations of assigned work.
   d. Residents shall be medically cleared prior to being selected for specific physical tasks and food service assignments.

7. Work-related Injuries
   a. All residents injured during voluntary work will immediately be directed to the appropriate medical staff.
   b. Immediate notification will be made to ICE/ERO, JFRMU, and the Executive Director.

Berks County Residential Center
Voluntary Worker Position Description

Food Service

Reports to Staff:

On-Duty Food Service Worker

Job Summary:

Perform labor and semi-skilled manual tasks in the food service department. Position involves assisting food service personnel under provided supervision. Workers may be assigned varied, routine food service maintenance tasks as needed.

Essential Functions:

1. Washes dishes, pots, pans and utensils.
2. Stocks supplies.
3. Removes trash.
4. Maintains cleanliness of food service areas.

These preceding examples are representative of the assignments performed by the position and are not indented to be all-inclusive.

Selection:

1. Must be at least 18 years of age.
2. Work assignment does not interfere with the resident's primary responsibility of child care.
3. Overall behavior, compliance and attitude.
4. Relevant information from case file.
5. Requirements of the job.
6. Management approval.

Working environment:

1. Works in hot kitchen area.

This position description serves as a guide for communicating the essential functions and other information about the position. It is not intended to create a binding workers contract nor cover every detail of the position and may be changed where appropriate.

Berks County Residential Center
Voluntary Worker Position Description

General Building and Grounds Maintenance

Reports to Staff:

On-Duty Resident Care Worker - Maintenance

Job Summary:

Perform labor and semi-skilled manual tasks in facility/operations. Position involves routine repairs and maintenance of equipment, facilities, buildings and grounds under provided supervision. Position involves assisting maintenance personnel under provided supervision. Workers may be assigned varied, routine maintenance tasks as needed.

Essential Functions:

1. Assists tradesmen in general maintenance and upkeep of the facilities, buildings and grounds.
2. Makes simple carpentry, pluming and electrical repairs.
3. Maintains floors with vacuums, carpet cleaners and power buffers.
4. Paints various equipment and facilities.
5. Cuts grass with power hand mower.
6. Trims weeds and grass with power trimmer.
7. Shovels snow and operates power snow blower.
8. Removes trash.

These preceding examples are representative of the assignments performed by the position and are not indented to be all-inclusive.

Selection:

1. Must be at least 18 years of age.
2. Work assignment does not interfere with the resident's primary responsibility of child care.
3. Overall behavior, compliance and attitude.
4. Relevant information from case file.
5. Requirements of the job.
6. Management approval.

Working environment:

1. Works outdoors in all types of weather.
2. Ability to work in dirty dusty conditions.

This position description serves as a guide for communicating the essential functions and other information about the position. It is not intended to create a binding workers contract nor cover every detail of the position and may be changed where appropriate.

Berks County Residential Center
Voluntary Worker Position Description

Housekeeping

Reports to Staff:

On-Duty Shelter Counselor

Job Summary:

Perform labor and semi-skilled manual tasks in housekeeping. Position involves assisting unit staff cleaning and vacuuming the living units under provided supervision. Workers may be assigned varied, routine housekeeping tasks as needed.

Essential Functions:

1. Cleans restrooms and plunges toilets.
2. Maintains floors with vacuums, carpet cleaners and power buffers.
3. Stocks supplies.
4. Removes trash.
5. Maintains cleanliness of living areas.

These preceding examples are representative of the assignments performed by the position and are not indented to be all-inclusive.

Selection:

1. Must be at least 18 years of age.
2. Work assignment does not interfere with the resident's primary responsibility of child care.
3. Overall behavior, compliance and attitude.
4. Relevant information from case file.
5. Requirements of the job.
6. Management approval.

Working environment:

1. Ability to work in dirty dusty conditions.

This position description serves as a guide for communicating the essential functions and other information about the position. It is not intended to create a binding workers contract nor cover every detail of the position and may be changed where appropriate.

Exhibit 23

Please Do Not Take Food Out of the Dining Room.

Food is to be Eaten in the Dining Room

Por favor, no sacar la comida del comedor. La comida es para ser comido en el comedor

Exhibit 24

Please Do Not Take Food Out of the Dining Room.
Food is to be Eaten in the Dining Room
Por favor, no sacar la comida del comedor. La comida es para ser comido en el comedor
SHARP
COMMERCIAL MICROWAVE OVEN
SHARP
COMMERCIAL MICROWAVE OVEN

Exhibit 25

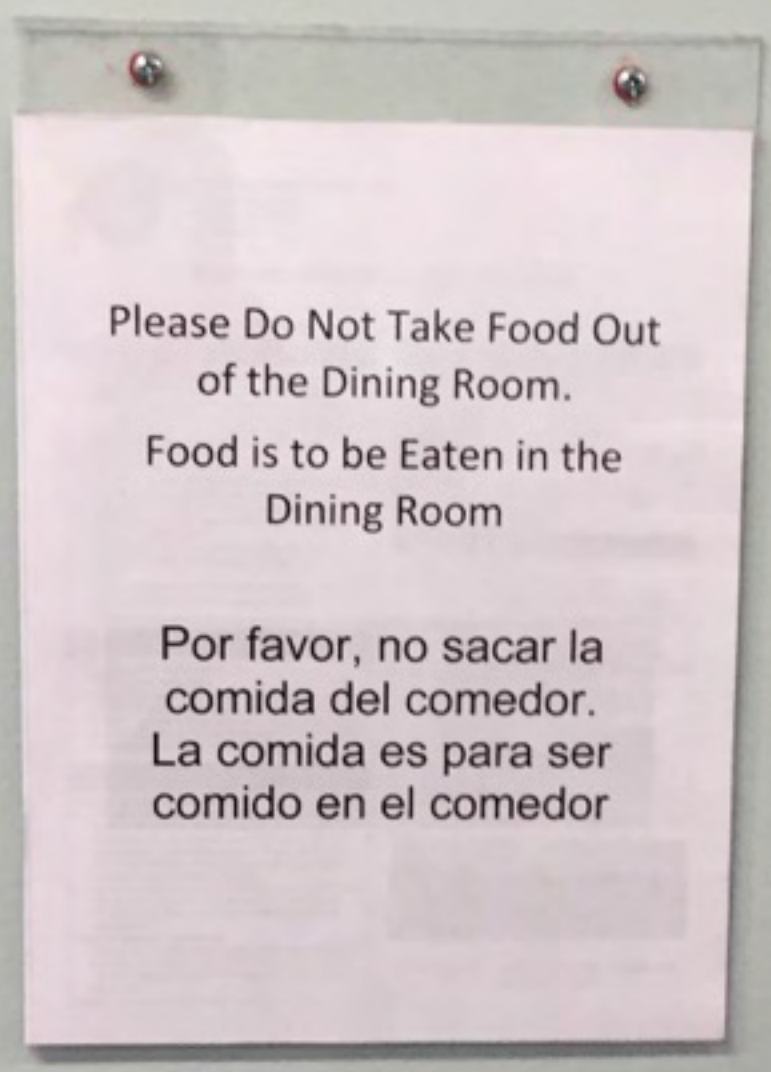

Please Do Not Take Food Out
of the Dining Room.
Food is to be Eaten in the
Dining Room
Por favor, no sacar la
comida del comedor.
La comida es para ser
comido en el comedor

Exhibit 26

Please Do Not Take Food Out of the Dining Room.
Food is to be Eaten in the Dining Room
Por favor, no sacar la comida del comedor. La comida es para ser comido en el comedor
Apple
H2O
WATER

Exhibit 27

Berks County Residential Center
Standard Operating Procedures and Policies

Chapter: Education Standard
Subject: Educational Services
Program: Family Residential Program

Policy #: 05.010
Effective Date: 5/30/2008
Revised Date: 12/1/2013

Approved: Signature on File
Diane Edwards, ***Executive Director***

Policy

It is the policy of the Berks County Residential Center (BCRC) to ensure all children receive educational services and programming in accordance with Pennsylvania Educational Standards to the resident's level of development and comprehension while in a structured classroom environment. The BCIU is a contracted agency responsible for compliance with the appropriate standards and policies.

Procedures

- Educational services for minor residents shall be appropriate to the minor's level of development and communication skills.
- Educational programs shall be provided in a structured classroom setting, Monday through Friday, excluding holidays.
- Telephonic translation services shall be available for assessments and in each classroom.
- Educational services shall focus primarily on the development of basic academic competencies and secondarily on English as a Second Language (ESL).
- The educational program shall include a minimum of one (1) hour of daily instruction, with educational and other reading materials in such languages as needed.
- Basic academic areas shall include: Science, Social Studies, Math, Reading, Writing and Physical Education.
- Children not eligible for formal education shall be provided with age-appropriate child development toys and reading materials.

1. Individual Needs Assessment/Placement

a. All assessments shall be conducted in a manner that does not violate the child's privacy. This is done in a one on one setting that is private and separate from all other residents.
b. A standardized educational assessment, using age appropriate testing tools, will be used to determine each resident's educational level within three (3) days of his/her arrival at the facility. Primary placement in educational programs shall be determined by age range, according to the following, in conjunction with the resident's education plan and educational assessment information.
c. An education plan is developed for each resident based on the individual educational level.
d. Developmental and comprehension levels are assessed and monitored. Residents in need of accommodations to access their education are referred into a formal evaluation process. An

Individual Education Plan (IEP) will be created for residents following special education testing. The IEP is reviewed every thirty (30) days.

e. Academic progress is monitored to determine the necessity to re-test at least every ninety (90) days. Specialized instruction is provided through individualized educational programming based on individual needs.
f. Copies of all assessments are made available to parents for their review upon request. Copies of all assessments will be placed in the student's individual education file, and will be available for review by ICE/ERO staff upon request.

2. Education Services

a. Educational programs are at least equal in quality to equivalent programs in the community to ensure that student credits, certificates, and diplomas are accepted by community agencies. Educational instruction will be provided Monday through Friday, 8:30 am to 3:15 pm excluding Holidays and teacher in-service days.
b. The education program is supported by specialized equipment that meets minimum state education standards.
c. Lesson plans and curricula developed by teaching staff, are based on state approved model programs, and are available for review in each classroom. All teaching staff submits weekly lesson plans to the Education Program Administrator for his or her review and approval.
d. Resident files contain the following: initial assessment (formal evaluation as needed); progress reports; request for parent/staff conference; follow-up notes and reviews; and Individual Education Plans.
e. Acculturation services and learning are incorporated into lesson plans, activities and seminars on a daily basis.
f. Translation services are available for each classroom.
g. Educational field trips are coordinated with the Recreation Supervisor. A minimum of four field trips per school year will be scheduled, both on and off site. Field trips are educational, encompassing social and cultural perspectives, providing a personal experience related to acculturation.

3. Evaluation and Reporting

a. Resident attendance is recorded twice daily for morning and afternoon sessions, and records of attendance are maintained and available for review upon request.
b. Resident progress reports are distributed to all residents on a regular and consistent schedule, and facility policy encourages the scheduling of parent-teacher conferencing to discuss student achievement.
c. Any resident that completes the learning requirements for the maximum learning level will be provided the opportunity for learning advancement such as independent study, special projects, pre-GED classes, and college preparatory tutorial, among others.
d. In accordance with applicable state law, and upon the recommendation of teaching staff, a resident may request to be administered the General Equivalency Degree (GED) test. Those residents approved for testing must first be administered the GED pre-test to assess suitability and possible remedial tutoring. Copies of all requests for GED testing and test results will be filed in the resident's education file.

e. A memorandum confirming a resident's dates of enrollment will be provided to all residents at the time of their departure. An educational assessment and/or transcripts will be provided upon request to institutions of learning on behalf of the resident.

4. Staffing Requirements and Training

a. Teaching staff are qualified and certified to teach in accordance with State regulations.
b. The student/teacher ratio does not exceed 20:1, or is in compliance with State policy and requirements.
c. Teaching staff shall be ESL certified, or enrolled in an ESL certification program.
d. The Education Department is administered and supervised by a person qualified and trained as an Administrator, in accordance with State requirements.
e. There is on file and available for review a Staff Development Plan that includes, at a minimum, the following topics: ESL strategies and materials; Instructional best practices; No Child Left Behind (NCLB) rules and regulations; and Lesson Plan development. The Staff Development Plan shall be in accordance with prescribed state requirements.
f. Staff are provided with pre-service and ongoing training on mental health issues, including but not limited to: how to respond to emergencies such as suicide attempts or threats; how to observe, prevent, document and respond to signs and symptoms of depression, Post Traumatic Stress Disorder (PTSD), physical and sexual abuse; and behavior management approaches. Refresher training occurs no less than twice yearly.
g. Staff are provided with pre-service and ongoing training on cultural awareness and sensitivity, child development theory, and acculturation training. Refresher training occurs no less than twice yearly.
h. Staff are provided with pre-service and ongoing training in First Aid, CPR, and AED. Ongoing and additional training is in accordance with applicable State requirements.
i. Staff are provided with pre-service and continuing training in ICE policies and procedures, prohibition against providing legal advice or counsel to facility residents, and the privacy rights of residents
j. All training sessions are documented in staff personnel files and are available for review upon request.

5. Equipment and Supplies

a. Each resident is issued text that is appropriate for classroom use, and teaching staff are provided with the Instructor's Edition. Should a state curriculum require additional materials to complete the goals and objectives of that particular course of study, the BCIU will ensure that these materials are provided to each resident and teacher as needed. If the materials are perishable, they will be replaced on a rotating basis commensurate with the curriculum timeline and rotation of residents.
b. All classrooms are equipped with a desktop computer with Internet access, and attendance and grading software.
c. Classrooms have manipulatives readily available and developmentally appropriate to each classroom and as required by lesson plans and curricula. Each resident will have the tools necessary to complete a particular task on their own, except when the curriculum calls for a group or partnered activity.

d. Classrooms have writing instruments to include colored pencils and crayons, writing paper, drawing paper, construction paper, and graph paper as needed and required by curricula tasks and objectives.

6. Library Services

a. Library services shall be provided and available to all residents. The library shall provide residents with appropriate reading materials in languages other than English for use during leisure time.
b. The library shall be available for use by residents from 8 am to 8 pm daily unless otherwise specified by management.
c. Books may be checked out for a period of seven (7) days.

7. Student Files

a. Resident (student) files contain the following documents, as applicable: Initial and subsequent Assessments; progress reports; requests for parent-teacher conference and follow-up notes; Special Needs Assessments; Individual Education Plans; follow-up reviews. Student files include the following documentation for each student: Initial and subsequent Individual Educational Assessment; Special Needs Assessment; Report Cards.
b. Student files are securely maintained in the Education Department to ensure the privacy of the juvenile. Files are available for review at all times by ICE/ERO staff. Should a parent schedule a conference to discuss his or her child's academic progress, the file will made available during the conference for review. Student files contain the following documents, as applicable: Initial and subsequent assessments; progress reports; requests for parent-teacher conference and follow-up notes; special needs evaluations; Individual Education Plans; follow-up reviews; and requests for testing, accompanied by test results.
c. Education files only contain information pertaining to a child's education, any other information is prohibited. Residential files are confidential. Information shall be disclosed to staff following state and federal guidelines.

8. Special Education

a. Special education programs are available to meet the needs of special education students as defined in public law. Placement in or out of special education programs shall be in compliance with applicable law. If special needs are identified, copies of the assessment will be provided to all members of the multidisciplinary special needs team for intensive oversight.
b. All special needs in education are met on-site through a formal evaluation process and administered by Berks County Intermediate professional staff.

DEFENDANTS' EXHIBIT 29

EVIDENCE	OBJECTION(S)
Exhibit 1, Declaration of Peter A. Schey, May 13, 2016.	
Generally, and specifically as below: Paragraph 5: "Mothers and children interviewed during the site inspections uniformly reported being held for one to three nights in extremely cold Customs and Border Protection (CBP) holding cells, not being provided dry clothes, being held in severely overcrowded cells, having to sleep on cold concrete floors, not being provided mats or blankets, often having insufficient space to lay on the floor to sleep, having bright lights kept on all day and night, inadequate food, dirty drinking water, one cup for 30-40 people to share, no soap or paper towels to wash their hands, lack of privacy and cleanliness in toilet facilities, lack of access to medical treatment, no access to information regarding detainees' rights, and verbal abuse by some guards. Conditions remain deplorable and inhumane. I am informed and believe that these conditions are pervasive along the U.S.-Mexico border." Paragraph 6: "While such conditions may be tolerable for a few hours, many Class Member children spend from one to three nights under these unhealthy, unsanitary and oppressive conditions. Paragraph 12 of the Settlement requires that "[f]ollowing arrest, [Defendants] shall hold minors in facilities that are safe and sanitary and that are consistent with the [Defendants'] concern for the particular vulnerability of minors." *Id*. The treatment of Class Members is inhumane and shows either an abysmal ignorance or total disregard of the	Defendant's object to this exhibit to the extent that it seeks to provide opinion testimony on alleged harms suffered by individuals at various CBP and ICE facilities and the causes of those alleged harms. Fed. R. Evid. 702. The declarant's conclusions are speculative, lack foundation, and amount to improper lay opinion. Fed. R. Evid. 701. Declarant's testimony regarding his clients and others is inadmissible hearsay (paragraphs 5, 6, 8, 9, 11). Fed. R. Evid. 802. This testimony is excludable on that basis. *See, e.g., United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7. Defendants also object to this exhibit because it is prohibited under the advocate-witness rule. *See Hayes v. Arthur Young & Co.*, 34 F.3d 1072, 1994 WL 463493, *9 (9th Cir. 1994) (excluding evidence that required a foundation to be laid by trial counsel because the advocate-witness rule "prohibits an attorney from appearing as both a witness and an advocate in the same litigation") (citing *United States v. Prantil*, 764 F.2d 548, 552-53 (9th Cir. 1985).

particular needs and vulnerabilities of children, whether U.S. citizens or those seeking refuge from violence and persecution abroad." Paragraph 8: "Despite many class members being held at CBP facilities for a day or several days, no efforts that Class Counsel is aware of are made by CBP staff to comply with Paragraphs 12A, 18 and 24D. Indeed, Border Patrol agents do not even appear to be aware of these obligations of the Settlement rather than intentionally violating them. Access to legal counsel at CBP stations is virtually non-existent. Not one of the Class Members and mothers interviewed during Class Counsel's inspections had any idea how to contact an attorney." Paragraph 9: "In any event, inspections disclosed Class Member children who had been detained for weeks or months in violation of the Settlement, regardless of the "average" length of detention of Class Members. The inspections also clearly disclosed that whether Class Members were detained for days, weeks or months, continuous efforts are not made and recorded to release children under Paragraph 14 or place them under Paragraph 19, and all children end up detained in Defendants unlicensed or secure facilities commingled with unrelated adults." Paragraph 11: "While facility staff at Berks claim all doors to the exterior are kept unlocked, they also clearly stated during Class Counsel's inspection that anyone who tried to leave would be promptly arrested." Paragraph 13: "Interviews with numerous Class Members	

and pro bono attorneys and pro bono program coordinators after October 2015 disclosed that access to counsel is a major concern for Class Members and attorneys employed by non-profit organizations or working pro bono to assist detained accompanied Class Members."	
Exhibit 2, Excerpts of Declarations, No Date Provided.	
Generally	Defendant's object to this exhibit to the extent that it seeks to provide opinion testimony on alleged harms suffered by individuals at CPB facilities and the causes of those alleged harms. Fed. R. Evid. 702. The declarants' conclusions are speculative, lack foundation, and amount to improper lay opinion. Fed. R. Evid. 701. Defendants object to Declarants' testimony regarding their clients and others as inadmissible hearsay (Sections 1-9). Fed. R. Evid. 802. This testimony is excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if[the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.

Exhibit 3, Declaration of Bridget Cambria, April 29, 2016.	
Generally, and specifically as below: Paragraph 3: "In the court of my practice and previous employment by the family detention facility, I have regular occasion to observe, and therefore am familiar with, the policies and practices of the United States Immigration and Customs Enforcement (ICE) toward the detention, release, and treatment of children and mothers detained at BCRC. I have also had the opportunity to observe how those policies and practices have changed over time." Paragraph 4: "Therefore, I have been advised by mothers and children of the physical, medical and psychological effects of their own detention." Paragraph 9: "The following class members, represented by my office, are representative . . . ." Paragraph 10: "As their attorney I have observed the psychological effects on class members of prolonged detention."	Defendants object to this exhibit on the grounds that the declarant appears to offer expert testimony as to Immigration and Customs Enforcement ("ICE") policies and procedures and the resulting effects, but has not been qualified as an expert regarding such policies or the effects of their implementation, nor has she provided sufficient foundation for her conclusions (paragraphs 2-6). Fed. R. Evid. 702. Defendants also object on the same basis to the entirety of paragraph 3, and specifically to the conclusions that "therefore am familiar with, the policies and practices of ICE toward the detention, release, and treatment of children and mothers detained at BCRC." Fed R. Evid. 702. The declarant's conclusions are speculative and amount to improper lay opinion because the declaration provides no basis for her to provide expert testimony as to what she believes to be the cause of alleged mental and physical health issues of children. Fed. R. Evid. 701. Further, declarant's discussions of her clients and others are inadmissible hearsay (paragraphs 9, 10,). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.

Exhibit 4, Declaration of Carol Anne Donohoe Esq., May 12, 2016.	
Generally	Defendants object to this exhibit on the grounds that the declarant appears to offer expert testimony as to ICE policies and procedures and the resulting effects, but has not been qualified as an expert regarding such policies or the effects of their implementation, nor has she provided sufficient foundation for her conclusions (paragraphs 1-6). Fed. R. Evid. 702. Further, declarant's discussions of her clients and others are inadmissible hearsay (paragraphs 4, 5, 8). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.
Exhibit 5, Declaration of Jacquelyn M. Kline, Esq., May 12, 2016.	
Generally, and specifically as below: Paragraph 6: "Our clients told us that during certain hours they were locked into specific sections of facility, either through doors being locked to prevent their egress or by staff (guards) standing in front of the doors to block their way."	Defendants object to this exhibit on the grounds that the declarant appears to offer expert testimony as to ICE policies and procedures and the resulting effects, but has not been qualified as an expert regarding such policies or the effects of their implementation, nor has she provided sufficient foundation for her conclusions (paragraphs 1-7). Fed. R. Evid. 702. Further, declarant's discussions of her clients and others are inadmissible hearsay (paragraphs 1-6). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the

	witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.
Exhibit 5 Attachment Exhibit D, News Article, No Date Provided.	
See Article entitled: "Shut Down Berks: Why Pennsylvania Must End Its Support For Family Detention"	Defendants object to this exhibit on the grounds that no foundation has been laid for the conclusions contained in the article. Fed. R. Evid. 602, 701. The report is also based on inadmissible hearsay. Fed. R. Evid. 802.
Exhibit 5 Attachment Exhibit E, Twitter Statement, October 22, 2015.	
See Twitter Statement of William Stock.	Defendants object to this exhibit on the grounds that no foundation has been laid for the conclusions contained in the article. Fed. R. Evid. 602, 701. The report is also based on inadmissible hearsay. Fed. R. Evid. 802.
Exhibit 6, Declaration of Jocelyn L. Dyer, Esq., May 5, 2016.	
Generally	Defendants object to this exhibit on the grounds that the declarant appears to offer expert testimony as to CBP policies and procedures and the resulting effects, but has not been qualified as an expert regarding such policies or the effects of their implementation, nor has she provided sufficient foundation for her conclusions (paragraphs 1-10). Fed. R. Evid. 702. Further, declarant's discussions of her clients and others are inadmissible hearsay (paragraph 11). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the

	witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.
Exhibit 7, Declaration of Natalia Ospina, Esq., March 10, 2016.	
Generally	Defendants object to this exhibit on the grounds that the declarant's discussions of her clients and others are inadmissible hearsay (paragraphs 3-9). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.
Exhibit 8, Declaration of Leanne Purdum, March 1, 2016.	
Generally, and specifically as below: Paragraph 5: "Almost every mother I consulted with had experienced some form of mistreatment in the intial Custom and Border Protection (CBP) processing centers, which they called the "hielera" (ice box) and the "perrera" (dog kennel)." "Mothers consistently told me . . . ." Paragraph 6: "Many mothers told me that . . . ."	Defendants object to this exhibit on the grounds that the declarant's discussions of her clients and others are inadmissible hearsay (paragraphs 4-13). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.

Exhibit 9, Declaration of Theresa B. Wilkes, Esq., May 5, 2016.	
Generally	Defendants object to this exhibit on the grounds that the declarant's discussions of her clients and others are inadmissible hearsay (paragraphs 5- 12). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.
Exhibit 10, Declaration of Amanda W. Doroshow, Esq., May 5, 2016.	
Generally	Defendants object to this exhibit on the grounds that the declarant's discussions of her clients and others are inadmissible hearsay (paragraphs 3-6). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.

Exhibit 11, Declaration of Edward McCarthy, May 2, 2016.	
Generally, and specifically as below: Paragraph 6: "My clients told me that the interpreters had a very difficult time understanding them and translating."	Defendants object to this exhibit on the grounds that the declarant appears to offer expert testimony as to ICE policies and procedures and the resulting effects, but has not been qualified as an expert regarding such policies or the effects of their implementation, nor has she provided sufficient foundation for his conclusions (paragraph 4). Fed. R. Evid. 702. Further, declarant's discussions of his clients and others are inadmissible hearsay (paragraphs 5-13). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.
Exhibit 12, Declaration of Robyn Barnard, Esq., May 9, 2016.	
Generally	Defendants object to this exhibit on the grounds that the declarant appears to offer expert testimony as to Immigration and Customs Enforcement ("ICE") policies and procedures and the resulting effects, but has not been qualified as an expert regarding such policies or the effects of their implementation, nor has she provided sufficient foundation for her conclusions (paragraph 13). Fed. R. Evid. 702. Further, declarant's discussions of her clients and others are inadmissible hearsay (paragraphs 4-12, 14). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the

	witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.
Exhibit 12 Attachment Exhibit 1, Article, August 2015.	
See Human Rights First article.	Defendants object to this exhibit on the grounds that no foundation has been laid for the conclusions contained in the article. Fed. R. Evid. 602, 701. The report is also based on inadmissible hearsay. Fed. R. Evid. 802.
Exhibit 12 Attachment Exhibit 3, Article, February 2016.	
See Health Concerns at the Berks Family Detention Center article.	Defendants object to this exhibit on the grounds that no foundation has been laid for the conclusions contained in the article. Fed. R. Evid. 602, 701. The report is also based on inadmissible hearsay. Fed. R. Evid. 802.
Exhibit 13, Declaration of Karen S. Lucas, Esq., May 7, 2016.	
Generally	Defendants object to this exhibit on the grounds that the declarant appears to offer expert testimony as to ICE policies and procedures and the resulting effects, but has not been qualified as an expert regarding such policies or the effects of their implementation, nor has she provided sufficient foundation for her conclusions (paragraphs 10-17, 19). Fed. R. Evid. 702. Further, declarant's discussions of her clients and others are inadmissible hearsay (paragraphs 11, 18, 20-22). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir.

	2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.
Attachments to Exhibit 13.	
Generally	Defendants object to these exhibit on the grounds that no foundation has been laid for the conclusions contained in the letter or declarations. Fed. R. Evid. 602, 701. The letter, as well as the statements therein, are also based on inadmissible hearsay and are not subject to any exception to the hearsay rule. Fed. R. Evid. 802. Defendants object to the declarations attached to Exhibit 13 to the extent they consist of hearsay testimony regarding the experiences of others
Exhibit 14, Declaration of Lindsay M. Harris, Esq. (Flores Violations), May 5, 2016.	
Generally	Defendants object to this exhibit on the grounds that the declarant's discussions of her clients and others are inadmissible hearsay (paragraph 4). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.

Exhibit 15, Declaration of Lindsay M. Harris, Esq. (Medical Conditions), May 5, 2016, and Exhibits.	
Generally	Defendants object to this exhibit on the grounds that the declarant's discussions of her clients and others are inadmissible hearsay (paragraph 10). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7. Defendants also object to this exhibit on the grounds that the declarant appears to offer expert testimony as medical conditions experienced by her clients, but has not been qualified as an expert regarding such policies or the effects of their implementation, nor has she provided sufficient foundation for her conclusions. Fed. R. Evid. 702. Defendants object to the Attachments to this Exhibit to the extent they are based on inadmissible hearsay and are not subject to any exception to the hearsay rule. Fed. R. Evid. 802.

Exhibit 16, Declaration of Lindsay M. Harris, Esq. (Due Process), May 5, 2016.	
Generally	Defendants object to this exhibit on the grounds that the declarant appears to offer expert testimony as to USCIS policies and procedures and the resulting effects, but has not been qualified as an expert regarding such policies or the effects of their implementation, nor has she provided sufficient foundation for her conclusions (paragraphs 7-12). Fed. R. Evid. 702. Further, declarant's discussions of her clients and others are inadmissible hearsay (paragraphs 3-5, 13-21). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.
Exhibit 17, Declaration of Manoj Govindaiah, Esq., May 5, 2016.	
Generally	Defendants object to this exhibit on the grounds that the declarant appears to offer expert testimony as to USCIS policies and procedures and the resulting effects, but has not been qualified as an expert regarding such policies or the effects of their implementation, nor has she provided sufficient foundation for his conclusions (paragraphs 4-5). Fed. R. Evid. 702. Further, declarant's discussions of his clients and others are inadmissible hearsay (paragraphs 6-21). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498

	F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.
Exhibit 18, Declaration of Robert Doggett, Esq., May 5, 2016, and Attachments.	
Generally	Defendants object to this exhibit on the grounds that the declarant appears to offer expert testimony as to Texas Department of Family and Protective Services policies and procedures and the resulting effects, but has not been qualified as an expert regarding such policies or the effects of their implementation, nor has he provided sufficient foundation for his conclusions (paragraphs 4-5, 18-20). Fed. R. Evid. 702. Further, declarant's discussions of his clients and others are inadmissible hearsay (paragraphs 11, 21-23). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.

Exhibit 19, Declaration of Alexander Mensing Regarding Conditions for Families Held in the Custody of Customs and Border Protection, March 25, 2016, and Attachments.	
Generally	Defendants object to this exhibit on the grounds that the declarant's discussions of his clients and others are inadmissible hearsay (paragraphs 7-12, and within paragraph 12 the additional sections 1-24). Fed. R. Evid. 802. This testimony is also excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7. Defendants object to the attachments to this declaration, as well as the statements therein, to the extent they contain inadmissible hearsay and are not subject to any exception to the hearsay rule. Fed. R. Evid. 802.

Exhibits 21 through 59	
Generally	Defendants object to these declarations, as well as the statements therein, to the extent they contain inadmissible hearsay and are not subject to any exception to the hearsay rule. Fed. R. Evid. 802.
Exhibit 61, Declaration of Luis H. Zayas, Ph.D., December 11, 2015.	
Generally, and specifically as below Paragraph 11: "I am making this declaration to provide a scientific basis for understanding the damaging psychological and developmental effects that immigration detention has on children and their parents."	Defendant's object to this exhibit to the extent that it seeks to provide opinion testimony on alleged harms suffered by individuals at various facilities and the causes of those alleged harms. Fed. R. Evid. 702. The declarant's conclusions are speculative, lack foundation, and amount to improper lay opinion. Fed. R. Evid. 701. Mr.Zayas is not qualified as an expert, such that he can offer opinions as to the effect of detention or the deterrent effect of certain policies and conditions. Fed. R. Evid. 702.
Exhibit 62, Declaration of Jessica Gorelick, LCSW, January 28, 2016.	
Generally, and specifically as below: Paragraph 8: "The metal health staff also explained that while they were required to meet with all the families following their arrival at Berks and regularly thereafter, they used no formalized assessment tools." Paragraph 12: "During that week, I assisted with the legal cases of women and children detained at the South Texas Family Residential Center in Dilley, Texas ("the Dilley facility").	Defendant's object to this exhibit to the extent that it seeks to provide opinion testimony on alleged harms suffered by individuals at various facilities and the causes of those alleged harms. Fed. R. Evid. 702. The declarant's conclusions are speculative, lack foundation, and amount to improper lay opinion. Fed. R. Evid. 701. Declarant's testimonies regarding her discussions with individuals are inadmissible hearsay (paragraphs 6-11, 12-20). Fed. R. Evid. 802. This testimony is excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his

	personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.
Exhibit 63, Letter, March 28, 2016.	
See letter Re: Ongoing Concerns regarding the Detention and Fast-Track Removal of Children and Mothers Experiencing Symptoms of Trauma.	Defendants object to this exhibit on the grounds that no foundation has been laid for the conclusions contained in this letter. Fed. R. Evid. 602, 701. The letter, as well as the statements therein, are also based on inadmissible hearsay and are not subject to any exception to the hearsay rule. Fed. R. Evid. 802. To the extent that the letter itself is not hearsay, Plaintiff's attempt to offer it for the proposition that ICE has adopted certain policies and procedures which lacks foundation, has no basis in personal knowledge, and is wholly speculative. Fed. R. Evid. 602
Exhibit 64, Declaration of CARA Project Attorney Ana Camila Colon-Villafane, March 28, 2016.	
Generally	Defendant's object to this exhibit to the extent that it seeks to provide opinion testimony on alleged harms suffered by individuals at various facilities and the causes of those alleged harms. Fed. R. Evid. 702. The declarant's conclusions are speculative, lack foundation, and amount to improper lay opinion. Fed. R. Evid. 701. Declarant's testimonies regarding her discussions with individuals are inadmissible hearsay (paragraphs 2-8). Fed. R. Evid. 802. This testimony is excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.

Exhibit 65, Declaration of Jodilyn Goodwin, Esq., May 5, 2016.	
Generally	Defendant's object to this exhibit to the extent that it seeks to provide opinion testimony on alleged harms suffered by individuals at various facilities and the causes of those alleged harms. Fed. R. Evid. 702. The declarant's conclusions are speculative, lack foundation, and amount to improper lay opinion. Fed. R. Evid. 701.
Exhibit 66, Declaration of Michelle Garza Pareja, Esq., May 12, 2016.	
Generally	Defendant's object to this exhibit to the extent that it seeks to provide opinion testimony on alleged harms suffered by individuals at various facilities and the causes of those alleged harms. Fed. R. Evid. 702. The declarant's conclusions are speculative, lack foundation, and amount to improper lay opinion. Fed. R. Evid. 701. Declarant's testimonies regarding her discussions with individuals are inadmissible hearsay (paragraphs 5-11). Fed. R. Evid. 802. This testimony is excludable on that basis. *See, e.g.*, *United States v. Freeman*, 498 F.3d 893, 904 (9th Cir. 2007) ("If [the witness] relied upon or conveyed hearsay evidence when testifying as a lay witness or if [the witness] based his lay testimony on matters not within his personal knowledge, he exceeded the bounds of properly admissible testimony"); *see also* Fed. R. Evid. 801, 802; L.R. 7-7.

Exhibit 67, Declaration of Amy Fischer, March 7, 2016.	
Generally, and specifically as below: Paragraph 5: "I submit this declaration to provide information regarding the challenges that indigenous language speaking mothers and class member children face while detained in Immigration and Customs Enforcement's (ICE) detention centers."	Defendant's object to this exhibit to the extent that it seeks to provide opinion testimony on alleged harms suffered by individuals at ICE facilities and the causes of those alleged harms. Fed. R. Evid. 702. The declarant's conclusions are speculative, lack foundation, and amount to improper lay opinion. Fed. R. Evid. 701.
Exhibit 68, Declaration of Karen S. Lucas, Esq., May 12, 2016.	
Generally	Defendant's object to this exhibit to the extent that it seeks to provide opinion testimony on alleged harms suffered by individuals at CBP facilities and the causes of those alleged harms. Fed. R. Evid. 702. The declarant's conclusions are speculative, lack foundation, and amount to improper lay opinion. Fed. R. Evid. 701.
Exhibit 69, Declaration of Kathryn E. Shepherd, Esq., May 12, 2016.	
Generally	Defendant's object to this exhibit to the extent that it seeks to provide opinion testimony on alleged harms suffered by individuals at the Dilley facility and the causes of those alleged harms. Fed. R. Evid. 702. The declarant's conclusions are speculative, lack foundation, and amount to improper lay opinion. Fed. R. Evid. 701.