

JANUARY 21, 2022  
CBP JUVENILE  
COORDINATOR REPORT

1300 Pennsylvania Avenue, NW  
Washington, DC 20229



**U.S. Customs and  
Border Protection**

January 21, 2022

MEMORANDUM FOR: The Honorable Judge Gee  
District Judge  
U.S. District Court, Central District of California

FROM: Henry A. Moak, Jr.  
Chief Accountability Officer  
U.S. Customs and Border Protection

1/20/2022

X

Signed by: People

SUBJECT: CBP Juvenile Coordinator January 21, 2022 Interim Report

On November 15, 2021, this Court ordered the U.S. Customs and Border Protection (CBP) Juvenile Coordinator, as well as the Juvenile Coordinators for U.S. Immigration and Customs Enforcement (ICE) and the U.S. Department of Health and Human Services (HHS), to file an interim report by January 21, 2022, to include: (i) the census of minors in each of the agency's facilities; (ii) the average length of stay for minors currently in the agency's facilities and for minors who have been released, with more details to assist the Court and the parties in tracking these metrics; (iii) the number of minors currently testing positive for COVID-19; and (iv) whether the Juvenile Coordinator has adequate personnel or other capacity to provide detailed monitoring of new or expanded facilities. More specifically, this Court directed the CBP Juvenile Coordinator to include: (i) a census of Class Members in CBP custody in the Rio Grande Valley Sector; (ii) an update on CBP's policies and capacity for processing minors in light of COVID-19, Title 42, and the recent influx; (iii) an update as to whether the conditions at the Donna Centralized Processing Center (CPC-DNT), the temporary outdoor processing site, and any other facility that serves as a hub for processing minors are safe and sanitary under FSA Paragraph 12; and (iv) a status update, if any, on CBP construction or renovation projects related to processing Class Members.

The CBP Juvenile Coordinator submits the following report in response to this Court's November 15, 2021 Order. This report builds on the information provided in the previous interim reports submitted on January 15, 2021, March 5, 2021, April 9, 2021, June 4, 2021, July 23, 2021, September 3, 2021, and October 29, 2021. Given the nature of the Court's request, this report provides information about the average time in custody (TIC) for children and the average number of children in custody across the Southwest Border (SWB), as well as more detailed information regarding the Rio Grande Valley (RGV) U.S. Border Patrol (USBP) Sector.

CBP Juvenile Coordinator January 21, 2022 Interim Report  
Page 2

Census of Class Members

Early in December 2021, RGV Sector encountered several large groups totaling 301 migrants in two days, which included 130 family members and one UC.<sup>1</sup> In 2021, RGV Sector encountered 10 groups of 100 or more migrants.<sup>2</sup> At the time of signing this report, encounter statistics for December 2021 have not been publicly released, and as such, December 2021 data is not reflected in Tables 1 through 3 and Table 5 below. Data for December 2021 will be included in the next CBP Juvenile Coordinator interim report.

In November 2021, there was a 10% increase in the number of unique individuals encountered compared to October 2021.<sup>3</sup> While 66% of total encounters in November 2021 were single adults, encounters of UCs rose by 9% and FMU encounters rose by 5% from October 2021 to November 2021.<sup>4</sup>

The following tables provide additional information regarding encounters at the SWB CBP-wide, as well as encounters specific to USBP SWB and RGV Sector.

**Table 1. CBP Encounters in October 2021 and November 2021**

	<b>October 2021<sup>5</sup></b>	<b>November 2021<sup>6</sup></b>	<b>% Change<sup>7</sup></b>
<b>CBP Single Adults</b>	<b>108,988</b>	<b>114,419</b>	<b>4.98%</b>
<b>CBP UCs/ Single Minors</b>	<b>12,783</b>	<b>13,959</b>	<b>9.20%</b>
<b>CBP FMUs<sup>8</sup></b>	<b>42,795</b>	<b>44,939</b>	<b>5.01%</b>
<b>CBP AMs<sup>9</sup></b>	<b>187</b>	<b>303</b>	<b>62.03%</b>

<sup>1</sup> See, *Large Number of Migrants Encountered in Brownsville, Texas*, U.S. Department of Homeland Security, Customs and Border Protection, <https://www.cbp.gov/newsroom/local-media-release/large-numbers-migrants-encountered-brownsville-texas>, (last visited January 20, 2022).

<sup>2</sup> *Id.*

<sup>3</sup> See, *CBP Releases November 2021 Monthly Operational Update*, U.S. Department of Homeland Security, Customs and Border Protection, <https://www.cbp.gov/newsroom/national-media-release/cbp-releases-november-2021-monthly-operational-update>, (last visited January 20, 2022).

<sup>4</sup> *Id.*

<sup>5</sup> See, *U.S. Border Patrol and Office of Field Operations Encounters FY 2022*, U.S. Department of Homeland Security, Customs and Border Protection, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>, (last visited January 20, 2022).

<sup>6</sup> *Id.*

<sup>7</sup> Percent change is from October 2021 to November 2021.

<sup>8</sup> Family unit represents the number of individuals (either a child under 18 years old, parent/legal guardian) encountered as part of a family unit by CBP. A family unit is defined as a noncitizen child/children accompanied by his/her/their noncitizen parent(s) or legal guardian(s).

<sup>9</sup> Accompanied Minors (AMs) are inadmissible children who are accompanied by an admissible parent/legal guardian. These statistics are applicable to CBP's Office of Field Operations (OFO) only.

CBP Juvenile Coordinator January 21, 2022 Interim Report  
Page 3

**Table 2. Comparison of CBP Encounters in October and November FY 21 to FY 22**

	<b>FY 21<sup>10</sup></b>	<b>FY 22<sup>11</sup></b>	<b>% Change</b>
<b>CBP Single Adults</b>	<b>125,391</b>	<b>223,407</b>	<b>78.17%</b>
<b>CBP UCs/ Single Minors</b>	<b>9,401</b>	<b>26,742</b>	<b>184.46%</b>
<b>CBP FMUs</b>	<b>9,049</b>	<b>87,734</b>	<b>869.54%</b>
<b>CBP AMs</b>	<b>201</b>	<b>490</b>	<b>143.78%</b>

**Table 3. USBP RGV Sector Encounters October and November 2021**

	<b>October 2021<sup>12</sup></b>	<b>November 2021<sup>13</sup></b>	<b>% Change<sup>14</sup></b>
<b>RGV Single Adults</b>	<b>19,447</b>	<b>22,152</b>	<b>13.91%</b>
<b>RGV UCs</b>	<b>6,963</b>	<b>7,889</b>	<b>13.30%</b>
<b>RGV FMUs</b>	<b>18,982</b>	<b>17,669</b>	<b>-6.92%</b>

**Table 4. Comparison of USBP RGV Sector Encounters in October and November FY 21 to FY22**

	<b>FYTD 21<sup>15</sup></b>	<b>FYTD 22<sup>16</sup></b>	<b>% Change</b>
<b>RGV Single Adults</b>	<b>28,665</b>	<b>41,599</b>	<b>45.12%</b>
<b>RGV UCs</b>	<b>3,485</b>	<b>14,852</b>	<b>326.17%</b>
<b>RGV FMUs</b>	<b>2,772</b>	<b>36,651</b>	<b>1222.19%</b>

<sup>10</sup> See, *U.S. Border Patrol and Office of Field Operations Encounters FY 2021*, U.S. Department of Homeland Security, Customs and Border Protection, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>, (last visited January 20, 2022).

<sup>11</sup> *Id.*

<sup>12</sup> See, *Southwest Land Border Encounters by Component: Fiscal Year to Date (FYTD) Percent Change*, U.S. Department of Homeland Security, Customs and Border Protection, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters-by-component>, (last visited January 20, 2022).

<sup>13</sup> *Id.*

<sup>14</sup> Percent change refers to October 2021 to November 2021.

<sup>15</sup> See, *Southwest Land Border Encounters by Component: Fiscal Year Percent Change*, U.S. Department of Homeland Security, Customs and Border Protection, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters-by-component>, (last visited January 20, 2022).

<sup>16</sup> *Id.*

CBP Juvenile Coordinator January 21, 2022 Interim Report  
Page 4

Table 5 represents the average daily number of individuals in USBP custody across the SWB and, more specifically, in RGV Sector, for the months of October 2021 and November 2021.

**Table 5. USBP Average Daily Subjects in Custody<sup>17</sup>**

	<b>October 2021</b>	<b>November 2021</b>
<b>USBP SWB Average</b>	<b>7,154</b>	<b>9,415</b>
<b>RGV Average</b>	<b>2,572</b>	<b>3,498</b>

Table 6 provides specific information regarding the number of class members in USBP custody across the SWB and in RGV Sector as of January 5, 2022, at 6:00 a.m. Eastern Standard Time (EST). The January 5, 2022 date was selected to provide a snapshot of the number of class members in USBP custody during the time this report was compiled.

**Table 6. Class Members in USBP Custody on  
January 5, 2022 at 6:00 a.m. EST<sup>18</sup>**

	<b>SWB</b>	<b>RGV Sector</b>
<b>Number of UCs</b>	<b>123</b>	<b>40</b>
<b>Number of FMU Children</b>	<b>1,585</b>	<b>128</b>
<b>TOTAL</b>	<b>1,708</b>	<b>168</b>

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<sup>17</sup> See, *USBP Average Daily Subjects in Custody by Southwest Border Sector*, U.S. Department of Homeland Security, Customs and Border Protection, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics>, (last visited January 20, 2022).

<sup>18</sup> The census of class members in USBP and RGV Sector custody as shown in Table 6 was provided to JCO by USBP for the purpose of this report. This is not official data published on cbp.gov.

CBP Juvenile Coordinator January 21, 2022 Interim Report  
Page 5

Finally, Table 7 depicts the average length of time children were in USBP custody across the SWB and in RGV Sector.<sup>19</sup> This table shows the average TIC for all children, as well as the TIC for UCs and FMU children specifically. Average TIC data is provided for October 2021, November 2021, December 2021, and for January 5, 2022. The average TIC on January 5, 2022 was provided to depict a more recent snapshot of the average TIC for class members as of the time this report was compiled.

**Table 7. Class Members Average USBP Time in Custody<sup>20</sup>**

		<b>October 2021</b>	<b>November 2021</b>	<b>December 2021</b>	<b>January 5, 2022</b>
		<b>(Hours)</b>	<b>(Hours)</b>	<b>(Hours)</b>	<b>(Hours)</b>
<b>USBP SWB</b>	All	48.34	52.6	60.14	102.16
	UC	27.53	35.63	31.65	17.38
	FMU	56.35	60.16	68.49	108.74
<b>RGV Sector</b>	All	43.53	52.27	57.48	44.07
	UC	25.26	38.18	32.73	12.45
	FMU	51.08	60.65	69.39	53.95

*Number of Class Members Currently Testing Positive for COVID-19*

As explained in my June 4, 2021 report, CBP conducts health intake interviews, including COVID-19 considerations and temperature checks, on individuals in custody upon entry into CBP facilities. Individuals entering CBP custody with identified COVID-19 concerns are taken from the CBP facility to a local health care facility for further assessment, COVID-19 testing, and treatment as appropriate. It is possible that a local health care facility may test an individual for COVID-19 if they are referred from CBP for another health reason. In addition, individuals in CBP custody, including children, may be tested for COVID-19 by ICE, HHS, or state/local partners, as appropriate, upon transfer or release from CBP custody. CBP maintains general visibility on all these efforts, but given the multiple lines of effort, does not maintain comprehensive data on the number of children who are or have been in CBP custody and may have tested positive for COVID-19.

Monitoring Personnel

As described in my June 4, 2021 report, I have a dedicated team of six individuals who report directly to me and whose primary responsibility is monitoring the Agency's compliance with the

<sup>19</sup> TIC represents the amount of time an individual is in CBP custody, beginning at the time of apprehension through the time of transfer from CBP custody. Thus, the average TIC for all children is calculated based on the total number of children in custody and how long each had been in custody as of 6:00 a.m. EST on a particular day. For example, if a child was arrested at 12:00 a.m. EST on January 5, 2022, then the child would have a TIC of six hours when TIC was compiled for that day. Likewise, if a child was arrested at 12:00 a.m. EST on January 4, 2022, and remained in custody on January 5, 2022, that child's TIC would be captured at 30 hours when TIC was pulled on January 5, 2022.

<sup>20</sup> The average TIC for class members in USBP facilities as shown in Table 7 was provided to JCO by USBP for the purpose of this report. This is not official data published on cbp.gov. The "All" in this table refers to all children under the age of 18; no adults are included in these statistics.

CBP Juvenile Coordinator January 21, 2022 Interim Report  
Page 6

FSA. I am confident in the Juvenile Coordinator's Office's (JCO) continued ability to monitor CBP facilities across the SWB.

### CBP Status Updates

This section provides relevant updates related to CBP policy and capacity for processing children considering COVID-19, Title 42, and other significant developments. This report does not include the CBP and RGV Sector COVID-19 policies discussed in my previous interim reports.

#### *Capacity for Processing Minors*

CBP continues to assist the Centers for Disease Control and Prevention (CDC) in enforcing its Public Health Reassessment and Order Suspending the Right to Introduce Certain Persons from Countries Where a Quarantinable Communicable Disease Exists (August 2, 2021).<sup>21</sup> As of the filing date of this report, the government may still expel single adults and family units in the United States traveling from Canada or Mexico (regardless of their country of origin) who would otherwise be held in OFO ports of entry or USBP stations for immigration processing.

All UCs encountered in the United States are processed under Title 8 authorities and transferred to the custody of HHS, Office of Refugee Resettlement (ORR) or repatriated to a contiguous country in accordance with the Trafficking Victims Protection Reauthorization Act of 2008. On July 22, 2021, the CDC published in the Federal Register a Notice "fully excepting UC from the October Order."<sup>22</sup> Family units continue to be processed in multiple ways depending on various factors as described in my April 9, 2021 report.

#### *COVID-19 Precautions*

CBP continues to adapt and refine its COVID-19 protocols and guidance based on the most current CDC and other applicable guidance. Consistent with CDC guidance, CBP has adjusted its facemask requirements for vaccinated and unvaccinated CBP personnel, subject to more specific federal, local, operational, or occupational health guidance. In accordance with updated DHS directives and consistent with CDC guidance, in areas with "Substantial or "High" transmission rates, all CBP employees, onsite contractors, and visitors must wear a facemask inside federal buildings. Inside CBP holding areas or when interacting with individuals in custody, CBP continues to require CBP personnel to wear facemasks and/or appropriate personal protective equipment, depending on the type of contact and risk of exposure. CBP also continues to provide facemasks for individuals in custody to wear and continues to encourage social distancing to the extent possible.

At the time of filing this report, RGV Sector has a dedicated station for anyone requiring isolation due to illness. Additionally, RGV Sector began facilitating COVID-19 testing by HHS of all UCs at CPC-DNT. UCs who test negative enter CPC-DNT and are processed for transfer to HHS in accordance with existing procedures. UCs who test positive for COVID-19 and any

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<sup>21</sup> See, 86 Fed. Reg. 42828 (August 5, 2021).

<sup>22</sup> See, 86 Fed. Reg. 38717 (July 22, 2021).

CBP Juvenile Coordinator January 21, 2022 Interim Report  
Page 7

accompanying UC family members (such as siblings) who may test negative are isolated and generally transferred to an ORR facility within 12 hours.

#### Safe and Sanitary Conditions in USBP RGV Sector

JCO returned to RGV Sector from November 16 through November 18, 2021, to monitor compliance with the FSA. At the time of the inspection, CPC-DNT continued to serve as the primary processing hub for UCs and families in RGV Sector, and the Sector continued to utilize a temporary outdoor processing site (TOPS) to increase processing capabilities and facilitate the expeditious transfer of UCs and families out of CBP custody. While most children in RGV Sector custody are held at CPC-DNT, with accompanied children first being briefly held at TOPS with their families for intake, JCO also inspected two additional stations in RGV Sector: Falfurrias Station and Rio Grande City Station (RGC). JCO selected these locations because in the time leading up to the inspection, these stations reported having more children in their custody than other stations in Sector, albeit at substantially reduced numbers and length of time in custody compared to CPC-DNT. Likewise, the FSA applies to each individual child, and all facilities must be prepared to comply with the FSA regardless of whether there is one child or a hundred children in custody. At each location, JCO observed operations, inspected the holding areas, and when possible, interviewed UCs and families. JCO observed how RGV Sector continues to adapt to its operational and logistical constraints to ensure that all four locations met the requirements of the FSA for children in custody.

At the time of the site visit, TOPS was being utilized primarily for field intake of families with children six and under. There were multiple portable toilets as well as handwashing stations with water, soap, and paper towels available. Various supplies for children and babies were available, such as diaper changing stations equipped with diapers, diaper cream, baby wipes, baby bottles, and formula. Snacks and water were available throughout the various stages of intake, and the supply area appeared adequately stocked with additional food, supply, and clothing items. There were medical contract personnel onsite to conduct health intake interviews, which included questions about current medical conditions, injuries, medications being taken, and behavioral health, as well as COVID-19 considerations, and a temperature check.

The Deputy Patrol Agent in Charge explained that at their current operational tempo, typically the longest time a family would spend at TOPS was waiting for transportation to CPC-DNT. JCO observed this intake process from start to finish, which took approximately an hour. After the bus arrived at TOPS (migrants are transported to TOPS by bus), migrants exited the bus to begin the field intake process. All migrants over two years old were wearing facemasks as they exited the bus. Agents provided children and families with bottled water and snacks. After initial biographical information was collected, the contract medical personnel conducted health intake interviews. Shortly thereafter, migrants reboarded the bus to be transferred to CPC-DNT.

At the time of the site visit, RGC was being used as an additional staging area for migrants encountered in RGC's area of responsibility prior to their transfer to TOPS to conduct initial field intake or directly to CPC-DNT for processing. The staging area was comprised of three climate-controlled tents, where families were assigned based on demographics and ages of the children. Mats were available inside the tents. There was a covered area for families with tables

CBP Juvenile Coordinator January 21, 2022 Interim Report  
Page 8

and benches situated between the tents. Families could freely move between their assigned tent and the benches. There were portable toilets and handwashing stations with water, soap, and paper towels, as well as five-gallon water jugs with cups. Diapers, diaper cream, baby wipes, baby bottles, and formula were also available. Contract medical personnel were onsite to respond to emergent medical needs.

Because RGC was being used primarily as a staging area prior to transfer, agents prepared meals, as needed, depending on the length of time migrants were at RGC. Snacks were available, and JCO observed agents providing snacks to children. However, JCO also interviewed two families who were apprehended during the night before/early morning hours who indicated that they had not received a snack or meal until lunch was provided around noon. Because this may be the first stop for migrants, and they may arrive at night or outside regular mealtimes, JCO recommended making the snacks easily accessible so that migrants could take snacks at any time rather than waiting for agents to hand them out. JCO informed the families interviewed that they could request snacks at any time and recommended that the station inform children that they could request snacks if they did not see them available. JCO also recommended providing Mylar blankets in addition to the mats provided to migrants inside the tents. Leadership onsite acknowledged and concurred with these recommendations.

Next, JCO inspected Falfurrias Station. At the time of the inspection, Falfurrias Station encountered only a few children daily, and there was only one UC onsite who was in the process of being transferred to CPC-DNT. The hold room where the UC was assigned was equipped with a functioning toilet and functioning sink with hand soap. At the time of the inspection, meals were being prepared and distributed by agents. The Patrol Agent in Charge explained that short-term meal contracts had been utilized in the past when there were higher numbers of migrants in custody. JCO observed a variety of food and supplies available, including snacks, milk, juice, bottled water, mats, Mylar blankets, pre-pasted toothbrushes, feminine hygiene products, diapers, diaper wipes, diaper cream, baby formula, baby bottles, and clothing in a variety of sizes. The storage area and kitchenette appeared adequately stocked with supplies, clothing, food, and snacks to accommodate any children who may briefly be held at the station. There were a couple of baby food items identified as past the expiration date by two weeks, which were immediately discarded upon discovery. Contract medical personnel were also onsite.

Finally, JCO inspected CPC-DNT, which continued to operate in a manner generally consistent with my previous reports. JCO inspected all pods where children were assigned and found that they were all within the appropriate temperature range with functioning toilets, functioning sinks and hand soap, and functioning hand dryers. Shower facilities and laundry services were available. Food service contractors provided three meals each day, and snacks and bottled water were available. Contracted medical personnel, caregivers, and janitorial crews were also onsite.

JCO observed various supplies available, including mats and Mylar blankets, pre-pasted toothbrushes, baby formula, diapers, diaper cream, baby wipes, feminine hygiene products, facemasks, and clothing in various sizes. JCO also observed that some of the pods holding parents with young children did not have baby bottles available within the pod. There were additional baby bottles on storage shelves outside of the pod, but parents did not have access to

CBP Juvenile Coordinator January 21, 2022 Interim Report  
Page 9

them. JCO raised this to management to ensure that all pods holding young children have baby formula and baby bottles available within the pods and that they are periodically restocked to ensure parents are not re-using the bottles.

At the time of the inspection, CPC-DNT was adjusting to reduced levels of National Guard and DHS volunteers onsite as well as onboarding a new group of temporary duty agents to replace the previous temporary duty agents returning to their duty stations. This adjustment period was most evident in more gaps in data entry of custodial actions compared to more recent prior inspections, as well as the reduced number of agents assigned to pods. However, based on JCO's observations, children in the pods were constantly supervised and food, snacks, and other items were provided despite gaps in recordation. I will continue to engage with RGV Sector and monitor conditions of custody across the SWB.

#### CBP/RGV Renovation and Construction

USBP operations at the Central Processing Center-Ursula are anticipated to resume on February 7, 2022.

JANUARY 21, 2022  
ICE JUVENILE  
COORDINATOR REPORT

**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

JENNY LISETTE FLORES, <i>et. al.</i> ,	)	Case No.: CV 85-4544-DMG
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
MERRICK GARLAND,	)	
Attorney General of the United States, <i>et al.</i> ,	)	
	)	
	)	
Defendants.	)	
	)	

**JANUARY 2022 INTERIM REPORT  
OF JUVENILE COORDINATOR DEANE DOUGHERTY  
SUBMITTED BY IMMIGRATION AND CUSTOMS ENFORCEMENT**

As required by the Court in its order issued on November 15, 2021, U.S. Immigration and Customs Enforcement (ICE) Juvenile Coordinator Deane Dougherty is submitting the following interim report. Due to the constantly evolving nature of the COVID-19 crisis, and the frequency of custody and discharge determinations, the information in this report is current and accurate as of the time of signature, or for the reported data, as of the date or time noted in conjunction with the information provided.

**I. Census of Minors at ICE Facilities<sup>1</sup> (§§ 2(i)-(ii) and 2(b)(i) of the Court’s November 15 Order)**

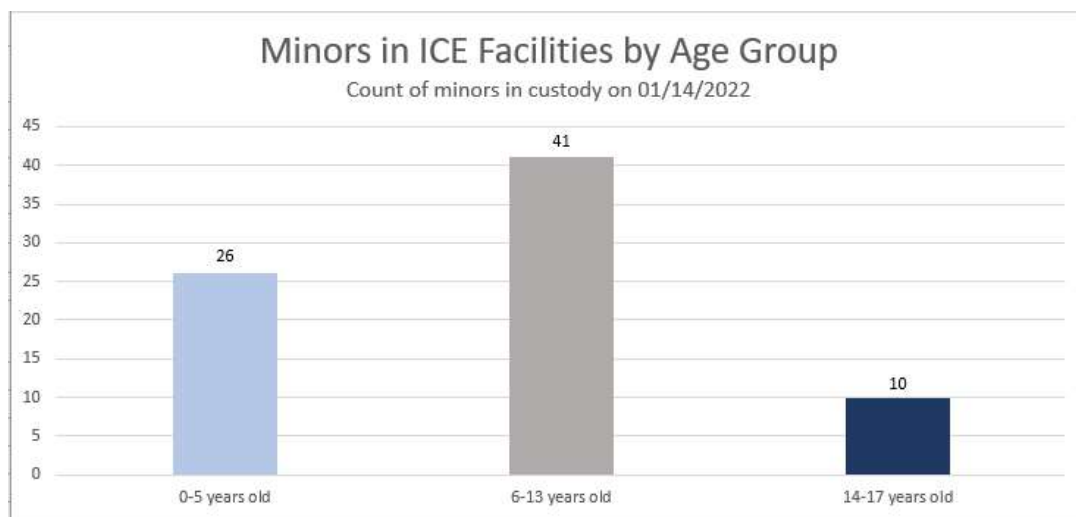
As stated in the prior Juvenile Coordinator Reports, ICE revised its family detention posture to allow for a broader repurposing of the physical facilities to better meet operational needs. ICE is continuing to make nimble, operational changes at its facilities in response to shifting

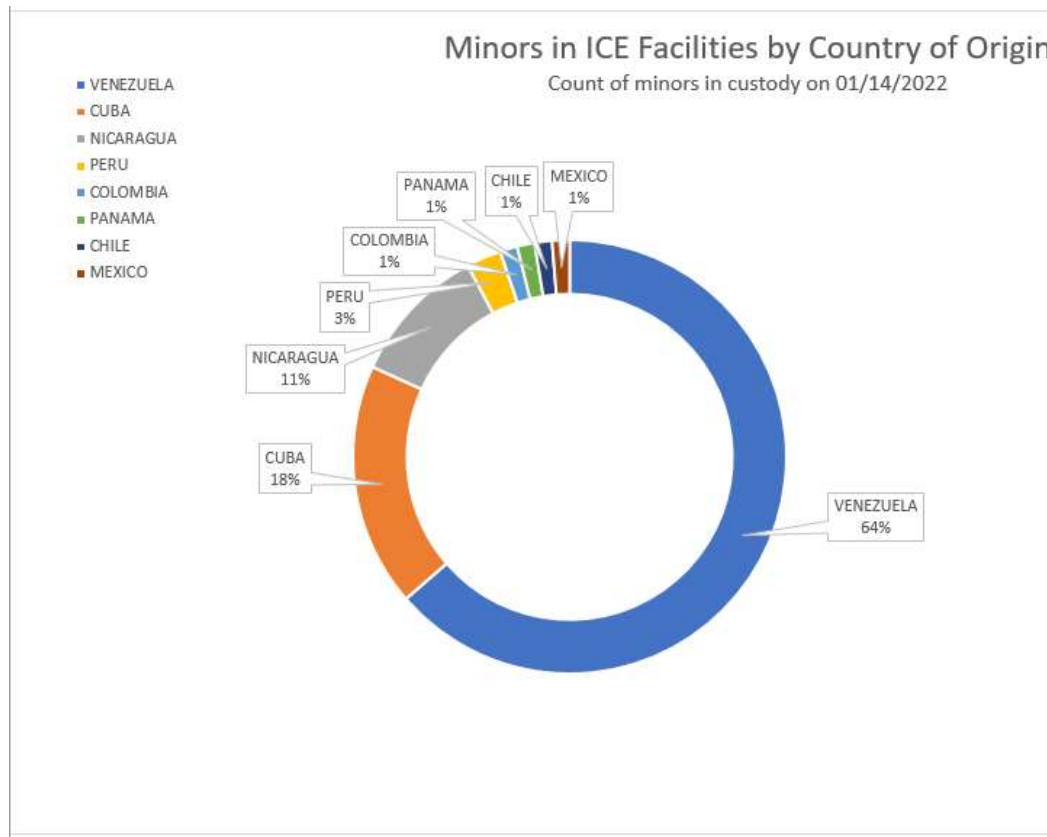
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<sup>1</sup> There are three types of ICE facilities that can house minors: Family Staging Centers, hotels, and secure juvenile detention facilities.

conditions along the southwest border. While ICE continues to monitor and consider options to address the dynamic needs of the southwest border, the agency's goal is to continue assisting U.S. Customs and Border Protection (CBP) with decompression. To this end, ICE is focusing more resources on increasing the use and effectiveness of alternative to detention programs for noncitizens. With any complex endeavor for which necessary efforts cannot be precisely predicted, constant reevaluation and redirection of resources must occur. ICE has chosen to shift its usage of all facilities to focus on single adults, consistent with the administration's goals of addressing irregular migration while supporting a system of border management that is orderly, safe, and humane. As such, the remaining two Family Staging Centers (FSC) (Karnes and Dilley) were transitioned from under-72-hour facilities for families to facilities for single adults.

On January 14, 2022, there were no Class Members at the ICE FSCs, 77 in hotels, and none in secure juvenile detention, for a total of 77 Class Members in ICE custody. The figures below breakdown these Class Members by age and country of origin.





ICE is making continuous efforts to release Class Members without unnecessary delay in accordance with paragraphs 14 and 18 of the *Flores* Settlement Agreement (FSA). The speed by which Class Members and their accompanying parent(s) or legal guardian(s) are being processed and released from ICE custody has increased significantly. On January 14, 2022, there were no Class Members who had been detained at an ICE facility twenty (20) days or more. The chart below represents the number of Class Members in ICE facilities as of January 14, 2022, as well as the average length of stay (ALOS) for Class Members in ICE facilities during this reporting period.<sup>2</sup>

<sup>2</sup> ALOS (calculated in days) for minors in custody is determined by a subtraction between the date the minor is in custody and their book-in date to the ICE facility. ALOS (calculated in days) for minors released between October 22, 2021, and January 14, 2022, is determined by subtracting the released minor's final book-out date from ICE custody and their book-in date to the ICE facility.

Minors in ICE Custody on 01/14/2022			
Facilities	Census	Average Length of Stay (Days) Minors in Custody	Average Length of Stay (Days) Minors Released Between 10/22/21 - 01/14/22
Berks Family Staging Center	-	-	-
Karnes County Family Staging Center	-	-	3
South Texas Family Staging Center	-	-	4
Hotels	77	6	2
Secure Juvenile Detention Facilities	-	-	5
<b>Total</b>	<b>77</b>	<b>6</b>	<b>2</b>

## **II. Hotels**

### **A. Update on the Number, Locations, and Safe and Sanitary Conditions at the Hotels (§ 2(b)(ii) of the Court's November 15 Order)**

In March 2021, ICE signed a short-term contract to provide emergency temporary shelter and processing services for noncitizen families prior to their release into the United States. The contract provided approximately 1,600 emergency family shelter beds and basic living needs through December 2021. After December 2021, only 300 of the 1,600 emergency family shelter beds remain operational through March 2022. Per the contract, six of the eight locations were demobilized and are no longer in use. The remaining two locations will remain open providing 300 emergency family shelter beds and basic living needs through March 2022. There are no plans for an extension beyond that date, as ICE is focusing more resources on increasing the use and effectiveness of the alternative to detention programs for noncitizens.

Below is a list of hotels available to temporarily house and process families, including location and operating status:

City-State	Hotel Name	Status

**B. Personnel and Capacity to Provide Detailed Monitoring of New and/or Expanded Facilities (§ 2(iv) of the Court's November 15 Order)**

There are no new facts or procedures to report since the last Juvenile Coordinator Report. The information in the last Juvenile Coordinator Report accurately reflects current practices.

**C. Case Management Services at Each Facility (§ 2(v) of the Court's November 15 Order)**

There are no new case management services to report since the last Juvenile Coordinator Report. The information in the last Juvenile Coordinator Report accurately reflects current practices.

**III. Status of ICE's Implementation of COVID-19 Guidances**

**A. Update on ICE Policies Regarding the Use of Hotels or FSCs, Including Policies and Procedures to Address COVID-19 (§ 2(b)(iii) of the Court's November 15 Order)**

There are no new facts or COVID-19 guidances to report since the last Juvenile Coordinator Report. The information in the last Juvenile Coordinator Report accurately reflects current practices.

**B. Report of ICE Facilities Holding Minors and Number of COVID-19 Cases (§ 2(iii) of the Court's November 15 Order)**

Pursuant to section 2(iii) of this Court's November 15, 2021, Order, and section 4(b)(iii) of this Court's April 24, 2020, Order, the following charts describe the number of positive COVID-19 cases at ICE facilities as of January 14, 2022.

Current COVID-19 Positive Cases of FAMU Individuals in ICE Facilities on 01/14/2022				
Facilities	Minor	Adult	Staff	Total
Berks Family Staging Center	-	-	-	-
Karnes County Family Staging Center	4	5	5	14
South Texas Family Staging Center	1	-	-	1
Hotels	7	13	3	23
Secure Juvenile Detention Facilities	-	-	-	-
<b>Total</b>	<b>12</b>	<b>18</b>	<b>8</b>	<b>38</b>

Cumulative COVID-19 Positive Cases of FAMU Individuals in ICE Facilities as of 01/14/2022				
Facilities	Minor	Adult	Staff	Total
Berks Family Staging Center	-	-	-	-
Karnes County Family Staging Center	557	956	163	1,676
South Texas Family Staging Center	652	928	172	1,752
Hotels	1,136	1,431	73	2,640
Secure Juvenile Detention Facilities	-	-	6	6
<b>Total</b>	<b>2,345</b>	<b>3,315</b>	<b>414</b>	<b>6,074</b>

Cumulative COVID-19 Positive Cases of FAMU Individuals in ICE Facilities as of 01/14/2022			
Facilities	Prior to Intake	After Intake	Total
Berks Family Staging Center	-	-	-
Karnes County Family Staging Center	1,250	263	1,513
South Texas Family Staging Center	1,231	349	1,580
Hotels	2,029	538	2,567
Secure Juvenile Detention Facilities	-	-	-
<b>Total</b>	<b>4,510</b>	<b>1,150</b>	<b>5,660</b>

Cumulative COVID-19 Positive Cases of FAMU Individuals Hospitalized as of 01/14/2022	
Facilities	Hospitalized
Berks Family Staging Center	-
Karnes County Family Staging Center	3
South Texas Family Staging Center	17
Hotels	11
Secure Juvenile Detention Facilities	-
<b>Total</b>	<b>31</b>

Pursuant to section 4(b)(iv) of this Court's April 24, 2020 Order, the Class Members housed in a facility in which either a detainee or staff member have tested positive for COVID-19 have not been released or transferred to non-congregate settings because they are either (1) in

quarantine based on CDC guidance and ERO's PRR as a result of testing positive, or having an accompanying family member who tested positive, for COVID-19; (2) will be released as a family unit upon testing negative for COVID-19 and coordinating travel arrangements with their sponsor; or (3) was pending placement with ORR and has since been transferred.

**IV. Class Members' Access to Counsel at ICE Facilities (§ 2(vi) of the Court's November 15 Order)**

Pursuant to section 2(vi) of the Court's November 15, 2021 Order, relating to Class Members' access to counsel, there is no new information to report about Class Members' access to counsel since the last Juvenile Coordinator Report.

**V. "Know Your Rights" Handout**

Pursuant to section 2(b)(iv) of the Court's November 15, 2021 Order, relating to the "Know Your Rights" handout disseminated to residents of the FSCs, attached to this report are the relevant documents referenced during the last status conference. Attachment A.

**VI. Title 42 Compliance**

Pursuant to section 2(b) of the Court's November 15, 2021 Order, and section 6 of the Court's September 4, 2020 Order, ordering that the government maintain records and statistical information on minors held in Title 42 custody, including an update regarding the number of minors held in Title 42 custody, and to monitor compliance with the FSA with respect to minors held in Title 42 custody, I can confirm that ICE includes minors temporarily housed by ICE pursuant to Title 42 authorities over 72 hours pending expulsion in its monthly Paragraph 28A reporting shared with Plaintiffs' counsel. Between October 19, 2021, and January 10, 2022, ICE did not house any Class Members pending expulsion under Title 42 processes at an ICE facility or hotel.

Signed on this 21st day of January 2022.

DEANE D  
DOUGHERTY

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Digitally signed by DEANE D  
DOUGHERTY  
Date: 2022.01.21 08:33:02  
-05'00'

Deane Dougherty  
ICE Juvenile Coordinator

# **ATTACHMENT A**

**SOUTH TEXAS FAMILY RESIDENTIAL CENTER  
ORIENTATION FOR NEW RESIDENTS**

1. Accounts/Cuentas
2. Acculturation/Adaptation, Aculturación/AdaptaciónClothing Issue/Emision de Ropa
3. Commissary/General Store/Comisaria/Tienda
4. Contraband/Contrabando
5. Discipline & Behavior Management/Disciplina y Comportamiento
6. Disciplina y Comportamiento (Severidad disciplinaria / Castigo corporal)  
i.e bullying, biting & fighting amongst children/ intimidación, mordidas y peleas entre los niños.
7. Education/Educacion
8. Fire/Emergency Evacuation Procedures (fire drills)/Procedimientos de Evacuacion para Incendios y Emergencias
9. Free Movement Procedures/Procedimientos de Movimiento Libre
10. Grievance Procedures/Procedimiento de Quejas
11. Health Services - Access and services (sick call, pill line, mental health, chronic care and dental services)/Servicios Medicos-acceso y servicios (llamada a enfermos, linea de medicamentos, salud mental, cuidados cronicos, y servisos dentales)
12. Hygiene/Higiene
13. Laundry Services/Servicios de Lavanderia
14. Mail Procedures (legal and general)/Procedimientos de Correo (legal y general)
15. Meal Services/Servicios de Comida
16. Monitored Child Care/Cuidado de Niños
17. Parental Responsibilities and Expectations/Responsabilidades de los Padres y Expectativas
18. Phones - Access and services (legal and general)/Acceso al Telefono y Servicios
19. PREA/Sexual Abuse & Assault Prevention & Intervention/PREA-Prevencion de Asalto y Abuso Sexual
20. Property Allowances/Packages/Asignaciones de Propiedad/Paquetes
21. Recreation/Recreacion
22. Religious Services/Servicios Religiosos
23. Resident Census Procedures/Procedimientos de Censo de Residentes
24. Resident Request Forms/Formas de Solicitud para Residentes
25. Smoke-Free Environment/Entorno sin Humo
26. Visitation/Visitacion
27. Volunteer Work Program/Programa de Trabajadores Voluntarios

**Additional Topics/Temas Adicionales:**

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I acknowledge that I have received the Center's orientation regarding the above listed procedures./Yo reconozco que he recibido la orientación del centro acerca los temas.

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**Resident Printed Name/Signature/Nombre/Firma**

**Date/Fecha**

---

**Staff Printed Name/Signature**

**Date**

## Acknowledgment of Receipt of Orientation Forms

### ENGLISH/ SPANISH

By signing below, I acknowledge that I have received the following forms in my language and have been given the opportunity to ask questions regarding each form.

- Phone Use/Instructions
- Talton Free Calls
- "What are my rights?" Form
- Announcement of Positive Covid-19 Cases
- Covid-19 Safety Precautions
- Proper Removal of Gloves
- Notice of Accommodations or Modifications
- ICE Detention Reporting & Information Line (English)
- ICE Detention Reporting & Information Line (Spanish)
- Fraud Information
- Pro Bono List of Attorneys
- Raices/Raices Sign-Up Form
- American Gateways/American Gateway Sign-Up Form
- KCFRC Orientation
- Go over Resident Handbook
- Any assistance or request speak to GEO staff

Resident Name: \_\_\_\_\_ Resident A# \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

### Reconocimiento de haber recibido los formularios de la orientación

Al firmar a continuación, Yo reconozco que he recibido los siguientes formularios en mi idioma y se me ha dado la oportunidad de hacer preguntas con respecto a cada formulario.

- Uso del teléfono / Instrucciones
- Llamadas gratuitas de Talton (teléfono)
- La hoja de información "¿Cuáles son mis derechos?"
- Anuncio de casos positivos del Covid-19
- Precauciones de seguridad del Covid-19
- Retiro apropiado de guantes
- Aviso de adaptaciones o modificaciones
- Línea de información e informes de detención de ICE (inglés)
- Línea de información e informes de detención de ICE (español)
- Información sobre fraude
- Lista de abogados pro bono
- Racies/ Formulario de registro de raices
- American Gateways/Formulario de registro de American gateways (abogados)
- KCFRC Orientación
- Repase el Manual para Residentes
- Cualquier asistencia o solicitud hable con el personal de GEO

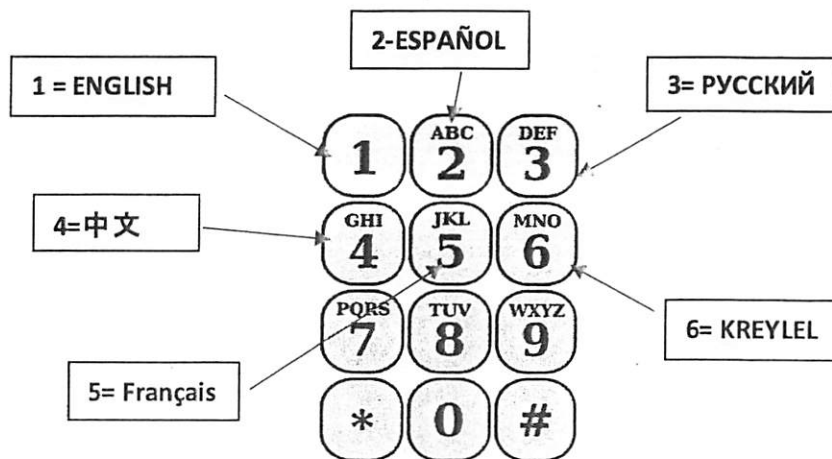
Nombre del residente: \_\_\_\_\_ Residente A # \_\_\_\_\_

Firma \_\_\_\_\_ Fecha \_\_\_\_\_



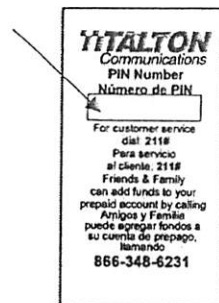
## PHONE INSTRUCTIONS/ Instrucciones para una llamada telefónica/Enstriksyon telefòn

**STEP 1: LIFT THE RECEIVER AND PRESS THE NUMBER THAT CORRESPONDS TO THE LANGUAGE YOU SPEAK. /Levante el receptor y oprime el numero que corresponde al idioma que habla./  
Leve reseptè a epi peze nimewo ki koresponn ak lang ou pale a.**



### STEP 2:

ENTER YOUR PIN #/ Marque su número de pin/  
ANTRE PIN NOU



### STEP 3:

RECORD YOUR VOICE PIN

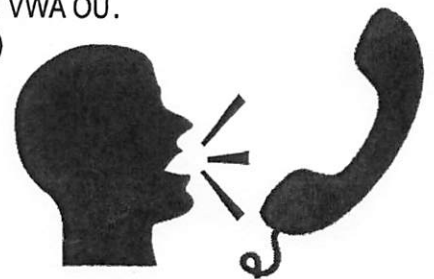
(STATE YOUR FULL NAME, NAME OF THE FACILITY, AND STATE)

Grabe su código de voz

(INDIQUE SU NOMBRE COMPLETO, NOMBRE DE LA INSTALACIÓN Y ESTADO)

ANREJEJE PIN VWA OU.

(Ekri kòd vwa ou.)



**STEP 4: ENTER THE PHONE NUMBER YOU WISH TO DIAL. FOR INTERNATIONAL CALLS, DIAL 011+ NUMBER. / INGRESE EL NÚMERO DE TELÉFONO QUE DESEA MARCAR. PARA LLAMADAS INTERNACIONALES, MARQUE 011+ NÚMERO./ ANTRE NIMEWO TELEFONEN OU VLE RELE. POU RELE ENTENASYONAL, DIAL 011+ NIMEWO.**





**Atención Residentes:**

Talton Communications (Servicio Telefónico) le proporciona 13 llamadas telefónicas gratuitas de 10 minutos cada semana.

Eso es un total de hasta 520 minutos gratis cada mes. Estos minutos se acreditan en su cuenta cada 7 días.

Los minutos NO se acumulan al final de la semana, por lo tanto, si no los usa, se expirarán al séptimo día.

# ¿CUALES SON MIS DERECHOS?



What are my rights?  
Quels sont mes droits?  
ما هي حقوقي؟  
Ki dwa mwen genyen?  
Каковы мои права?  
我有什么权利?

**ABA**  
AMERICAN BAR ASSOCIATION  
Commission on Immigration

## LÍNEA DIRECTA DE AYUDA PARA DETENIDOS

### • ¿Quienes somos?

La American Bar Association  
Comisión de Inmigración  
Recibe llamadas de detenidos para  
**Proporcionarles información  
y materiales legales**

### • ¿Cómo ayudamos?

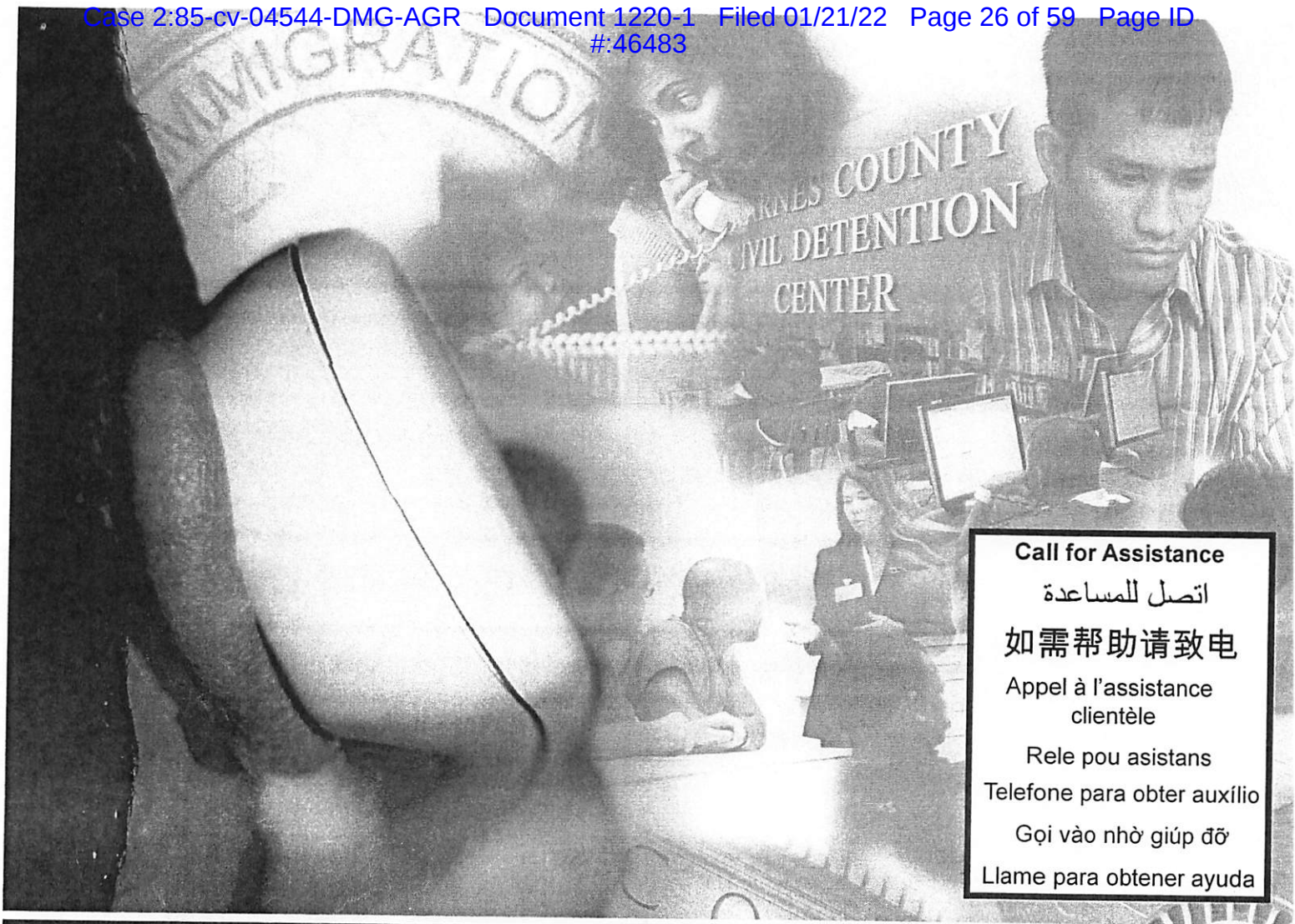
Explicamos diferentes formas de  
remedio de inmigración, tales como  
**el asilo, la visa U y las fianzas**

Proporcionamos listas de  
**organizaciones legales pro bono**  
Ofrecemos reportes de  
**derechos humanos en su país**

### • ¿Cómo llamarnos?

- 1) Siga las instrucciones publicadas en su lista de  
*Pro Bono Speed Dial* para acceder al Sistema Pro Bono
- 2) Siguiendo, marca **2150#** cuando se solicite marcar  
el número del Speed Dial

Podemos recibir llamadas en **español e inglés** y a veces en **otros idiomas**.



**Call for Assistance**

اتصل للمساعدة

如需帮助请致电

Appel à l'assistance  
clientèle

Rele pou asistans

Telefone para obter auxílio

Gọi vào nhờ giúp đỡ

Llame para obtener ayuda

## Línea de información y denuncias del Centro de Detenciones del ICE 1-888-351-4024

Todas las partes relacionadas de alguna manera con el ICE, incluido el público, los familiares, los abogados, los líderes religiosos y las organizaciones no gubernamentales, pueden comunicarse con la Línea de información y denuncias del Centro de Detenciones del ICE para:

- Realizar preguntas generales sobre **control de inmigraciones y detenciones**.
- Averiguar **información básica sobre un caso de inmigración**. Para informarse sobre la fecha de presentación ante los tribunales de una persona, llame al 1-800-898-7180.
- Denunciar abuso o **agresión sexual o física** durante el período de detención.
- Denunciar **problemas de detención graves o sin resolver**.
- Denunciar que una persona detenida es **víctima de trata de personas u otros delitos**.
- Denunciar que a una persona detenida la separaron de un **hijo menor u otro dependiente**, o que tiene otros **problemas parentales**.
- Denunciar que un detenido padece de una **enfermedad o trastorno mental grave**. Si dicha enfermedad o trastorno afectaran la capacidad de dicho individuo de representarse a sí mismo o de participar en una causa judicial sobre inmigración, también deberá notificarle el hecho al juez de inmigración.

**El ICE está comprometido a mantener un diálogo colaborativo y transparente con el público acerca de la misión y los valores centrales de la agencia.**

Tiene a su disposición ayuda con el idioma, que incluye operadores de habla hispana.



Operaciones de Control y Deportación del ICE  
Comprometidos con la transparencia, colaboración y resolución de inquietudes

## REUNIÓN DEL AYUNTAMIENTO DE COVID COVID-19 PRECAUCIONES DE SEGURIDAD

**Como precaución de seguridad para usted y los demás, le pedimos que usted y su familia permanezcan en su habitación en todo momento. El personal médico le informará cuando se haya completado su cuarentena obligatoria. Si tiene alguna pregunta o inquietud con respecto a su estado médico, diríjase al personal MÉDICO.**

### K.C.F.R. C. Pautas de seguridad

- Se debe usar un EPP adecuado, que incluya una máscara facial y guantes, en todo momento cuando esté fuera de su suite y cuando hable con el personal. Todos los residentes de 3 años en adelante deben usar una máscara facial.
  - Los guantes se pueden obtener en cualquier mostrador del parque a pedido.
  - La máscara facial se puede obtener a pedido del personal de GEO y se distribuyen 2 máscaras una vez por semana a cada residente.
- El desinfectante de manos también está disponible en todos los parques en la recepción y la cocina. Se alienta a los residentes a usar el desinfectante de manos con frecuencia.
- Las instrucciones sobre cómo usar adecuadamente los guantes han sido publicadas en un formulario por separado, sin embargo, si tiene alguna pregunta o inquietud, consulte a cualquier miembro del personal.
- Practique el distanciamiento social y manténgase al menos a 6 pies (aproximadamente 2 brazos) de otras personas.
- Lávese las manos a menudo con agua y jabón durante al menos 20 segundos, especialmente después de haber estado fuera de su suite, o después de sonarse la nariz, toser o estornudar.
- Evite tocarse los ojos, la nariz y la boca con las manos sin lavar.
- **Limpie Y desinfecte las superficies frecuentemente tocadas diariamente.** Esto incluye mesas, pomos de puertas, interruptores de luz, encimeras, manijas, teléfonos, inodoros, grifos y fregaderos. Los artículos de limpieza se proporcionan dos veces al día o bajo petición durante todo el día.
- Si las superficies están sucias, límpielas. Use productos de limpieza que le proporcione el personal de GEO.
- Si necesita llenar sus dispensadores de jabón, pañales para bebés, papel higiénico, productos femeninos, pasta de dientes, cepillo de dientes o productos de limpieza, notifique al personal colocando el letrero verde afuera de su puerta.
- La lavandería reemplazará la ropa de cama todos los lunes, miércoles y viernes, junto con un cambio de sábanas todos los viernes.
- **Abstenerse de abrir las puertas y hablar con otros residentes en su sala. Si necesita ayuda, coloque el letrero verde en el exterior de su puerta y un miembro del personal estará allí para ayudarlo.**
- **Notifique al personal cuando usted o su hijo no se sienten bien o por una emergencia.**

\*\*\*\*\* Cualquier inquietud o problema puede ser abordado por cualquier personal de GEO. \*\*\*\*\*

### **Anuncio de casos positivos de Covid-19**

La instalación quería informarle que los residentes en la instalación han dado positivo por COVID-19. Los residentes que dieron positivo en ese momento estaban en su período de aislamiento de catorce días, y en ningún momento los residentes tuvieron contacto con ningún otro residente en la instalación.

Continuaremos trabajando con nuestros socios gubernamentales, los CDC (Centro de control y prevención de enfermedades) y los departamentos de salud locales correspondientes para implementar las mejores prácticas para reducir la exposición de COVID-19 en las instalaciones.

Continúe practicando el distanciamiento social y los procedimientos de higiene de manos adecuados. Su constancia y cooperación son fundamentales y marcan la diferencia.

Si tiene alguna pregunta, no dude en comunicarse con el personal de GEO.

# Cómo quitarse los guantes

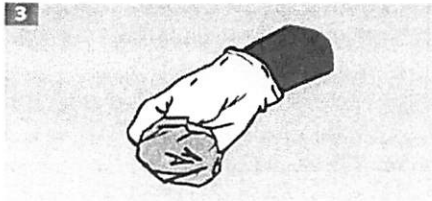
Protéjase ejecutando los siguientes pasos al quitarse los guantes



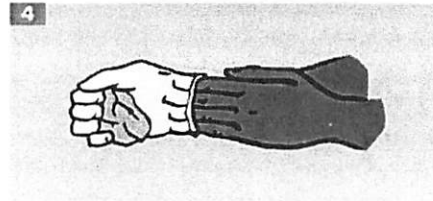
1 Sujete los guantes por la parte exterior a la altura de la muñeca. No toque su piel.



2 Qútese despacio el guante, empezando de la muñeca hacia los dedos y jalando de la parte interior hacia la punta de los dedos.



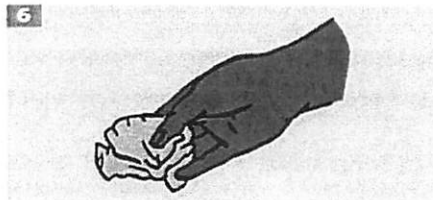
3 Sostenga el guante que acaba de quitarse con la otra mano protegida por el guante.



4 Inicie el proceso de quitarse el siguiente guante poniendo sus dedos dentro del guante a la altura de la muñeca.



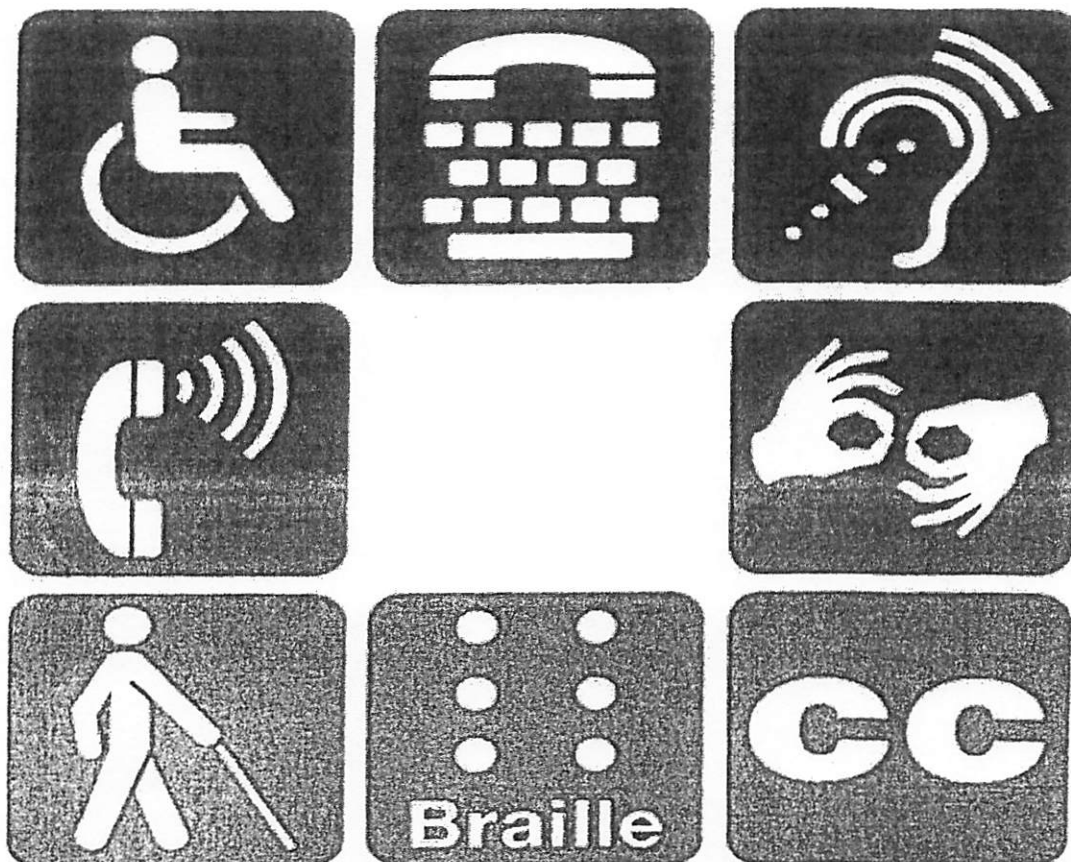
5 Jale la parte interior del guante hacia afuera, deje el primer guante adentro del segundo.



6 Elimine los guantes de una manera segura. No los vuelva a usar.



7 Lave sus manos inmediatamente después de haberse quitado los guantes.



Under Section 504 of the Rehabilitation Act of 1973, Karnes County Family Residential Center is able to provide accommodations or modifications for residents with disabilities. This includes, but not limited to, any communication and mobility impairment. Residents are able to request disability services at any time by notifying any GEO employee to be referred to the medical department for further assessment.

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Bajo la Sección 504 de la Ley de Rehabilitación de 1973, el Centro Residencial Familiar del Condado de Karnes puede proporcionar adaptaciones o modificaciones para residentes con discapacidades. Esto incluye, pero no se limita a, cualquier comunicación y o discapacitar. Los residentes pueden solicitar servicios para discapacitados en cualquier momento notificando a cualquier empleado de GEO para que sea referido al departamento médico para ser evaluado.



Information regarding Fraud:

Fraud is a crime. Please note that ICE will never request money from you or your family, friends, or sponsor. Inform your family of this information so they can be aware of fraud.

Información sobre fraude:

El fraude es un crimen. Tenga en cuenta que ICE nunca le solicitará dinero a usted ni a su familia, amigos o patrocinador. Informe a su familia de esta información para que puedan estar al tanto del fraude.

Enfòmasyon konsènan fwod:

Fwòd se yon krim. Tanpri sonje ke ICE pa janm ap mande lajan nan men ou oswa fanmi ou, zanmi, oswa sipòtè. Enfòmè fanmi ou enfòmasyon sa yo pou yo ka okouran de fwod.

Informații privind fraudă:

Fraudă este o crimă. Vă rugăm să rețineți că ICE nu va solicita niciodată bani de la dvs. sau de la familia dvs., prieteni sau sponsor. Informați familia dvs. despre aceste informații, astfel încât să poată fi conștienți de fraudă.

**La lista de "Proveedores de servicios legales pro bono" "Pro Bono Legal Services Providers" son grupos de abogados y asistentes legales que están disponibles para ayudarle con su caso de inmigración.**

**Sus servicios se proporcionan de forma gratuita. Cualquier pregunta legal que pueda tener debe ser dirigida a un abogado, no a un empleado de GEO.**

# **LOP Group Presentation Announcement**

This is to inform you; you have the right to attend an LOP Group Presentation directly following the facility orientation. This will be a virtual and interactive presentation. In your orientation packet and/or in your room are sign-up forms which allows you to sign up at any time during your stay at facility. Simply following the instruction of the sign-up form and turn into any staff member. Sign up form will be forwarded to LOP.

Esto es para informarle de que tiene derecho e asistir a una presentación del grupo LOP directamente después de la orientación de las instalaciones. Será una presentación virtual e interactiva. En su paquete de orientación y/o en su habitación hay formularios de inscripción que le permiten apuntarse en cualquier momento durante su estancia en el centro. Simplemente siga las instrucciones del formulario de inscripción y entréguelo a cualquier miembro del personal. El formulario de inscripción se enviará a LOP.

Isto é para informá-lo; você tem o direito de participar de uma Apresentação do Grupo LOP (grupo de advogados) logo depois da reunião de orientação. Esta apresentação é virtual e interativa. Em seu pacote de orientação e/ou em seu quarto há formulários de inscrição que permitem que você se inscreva a qualquer momento durante sua estadia aqui no centro. Basta seguir as instruções do formulário de inscrição e entregar a um funcionário. O formulário de inscrição será encaminhado para a LOP (grupo de advogados).

Sa a se enfome ou; ou gen dwa pou ale nan yon prezantasyon gwoup LOP direkteman apre oryantasyon an plant. Sa a pral yon prezantasyon vityel ak enteaktif. Nan pake oryantasyon ou ak/oswa nan chanm ou yo se fom siy ki pemet ou enskri nan nenpot ki le pandan ou ap rete nan plant la. Senpleman swiv enstriksyon an nan fom nan siy-up epi vire nan nenpot manm anplwaye. Enskri fom yo pral voye bay LOP.

- \* Non-Profit Organization
- \*\* Referral Service
- \*\*\* Private Attorney

## List of Pro Bono Legal Service Providers

Updated October 2021

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

### Karnes County Family Residential Center - Family Units

Karnes City, Texas	
<b>American Bar Association Detention and LOP Information Line**</b>  immcenter@americanbar.org <a href="https://www.americanbar.org/groups/public_interest/immigration/">https://www.americanbar.org/groups/public_interest/immigration/</a>  <ul style="list-style-type: none"> <li>• Pro se case assistance for detained respondents only</li> <li>• Dial 2150# from the detention center</li> <li>• To contact on behalf of a detained individual, email immcenter@americanbar.org.</li> </ul>	<b>American Gateways*</b>  American Gateways – Austin 314 E. Highland Mall Blvd., Suite 501 Austin, TX 78752 Tel: (512) 478-0546 Fax: (512) 387-2650  American Gateways – San Antonio Extension Office 2300 W. Commerce St., Suite 313 San Antonio, TX 78207 Tel: (210) 521-4768 Fax: (210) 625-6797  <a href="http://www.americangateways.org">www.americangateways.org</a>
<b>RAICES*</b> Refugee and Immigrant Center for Education and Legal Services  2511 North Loop 1604 West, Suite 201 San Antonio, TX 78258  RAICES Karnes Hotline: 1-855-672-4237  <ul style="list-style-type: none"> <li>• Will represent asylum seekers.</li> </ul>	<b>University of Texas School of Law Immigration Clinic*</b>  727 East Dean Keeton Street Austin, TX 78705-3299 Tel: (512) 232-1292 Fax: (512) 232-0800 <a href="http://www.law.utexas.edu/clinics/immigration">www.law.utexas.edu/clinics/immigration</a>  <ul style="list-style-type: none"> <li>• Will represent aliens in Asylum cases</li> <li>• Clinic is closed from May 1st until September 1st</li> </ul>

**Disclaimer:** As required by 8 C.F.R. § 1003.61, the Executive Office for Immigration Review (EOIR), Office of Policy, 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 the 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 the organizations or attorneys.



## REMOTE LEGAL SERVICES AVAILABLE DURING CORONAVIRUS (COVID-19) PANDEMIC

American Gateways is a non-profit immigration legal services provider that offers legal orientations and *pro se* workshops for individuals detained at the Karnes Family Residential Center.

American Gateways is **NOT** part of the U.S. government, immigration court, or detention center.

Our services are **FREE** and they are meant to provide you with general information,  
**NOT TO PROVIDE YOU LEGAL ADVICE**

### **Individual Legal Orientations, Credible Fear Interview or Bond**

If you would like to speak about your case with someone from our San Antonio office, please call 210-521-4768 ext. 232 from 8 am - 12 pm.

If no answer, please leave a voice message including your **NAME, A NUMBER,** and the type of assistance you need.

### **Over the phone Services are available Monday - Thursday 8 am to 12 pm**

Call 210-521-4768 ext. 235 with Jessica  
or 210-521-4768 ext. 238 with Marco

Email – [ag.lop.karnes@gmail.com](mailto:ag.lop.karnes@gmail.com)

Fax - 210-625-6797

Mail to American Gateways-LOP Karnes to:

2300 W. Commerce St. Ste. 313, San Antonio, Tx 78207

If you do not have access to mail, email, or fax, speak with a GEO employee at the detention center and let them know you need to contact American Gateways.

### **Printed Resources in Various Languages are Available in the Law Library**

American Gateways Guide for Detained Immigrants  
Immigration Applications (e.g. Asylum, Cancellation of Removal, etc.)

### **\*\*\*PLEASE NOTE\*\*\***

If American Gateways assists you with one of the services listed above, it **does not mean** that American Gateways is representing you in your case.

DATE: Karnes



Su firma abajo significa que usted entiende lo siguiente:

Participación en una orientación individual o en grupo no significa que usted será representado por American Gateways. Entiendo que la información que proporciono **no** será compartida con el juez de inmigración ni con ICE sin mi consentimiento. Por favor indique si gustaría ser llamado por teléfono para una orientación individual.

Signing below means you understand the following:

Participating in an individual or group orientation does not mean that I will be represented by American Gateways. I understand that the information I have listed will **not** be shared with the immigration judge or with ICE without my consent. Please indicate if you would like to be called by phone for an individual orientation.

	Nombre/Name	A#	Nacionalidad/ Nationality	Género/Gender	Idioma/ Language	¿Llamada Individual?/ Individual Call?
	Ejemplo/Example: Maria Garza	123456789	Mexican@/ Mexican	Mujer/Woman	Español/English	Si/Yes
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### ENGLISH

#### **Do you and your family need free legal help?**

We are an organization of attorneys and legal assistants that offers free legal orientation and services to detained persons.

**If you have not had an appointment with us and need an initial consultation call us at 855-672-4237 between 8:30 AM and 5:30 PM, Monday through Friday.**

**If you know your interview date or you received a decision you can call us at 855-672-4237 from 8:30 AM to 5:30 PM, Monday through Friday.**

If you have questions or want an appointment with us, please call. **If you need a phone, you can ask one of the guards for one.**

### PORTUGUÊS

#### **Você e a sua família precisam de ajuda legal gratuita?**

Nós somos uma organização de advogados e assistentes legais que oferece assessoria e serviços legais gratuitos para as pessoas detidas.

**Se você nunca tem tido uma consulta conosco e precisa de uma consulta inicial, ligue para nós ao 855-672-4237 entre as 8h30 e 17h30, segunda a sexta.**

**Se você sabe a data da sua entrevista ou recebeu uma decisão, pode liga-nós ao 855-672-4237 entre as 8h30 e 17h30, segunda a sexta.**

Se tiver perguntas ou se quiser uma consulta conosco, por favor ligue para nós. **Se precisar de um telefone, pode pedir um aos guardas.**

### FRANÇAIS

#### **Avez-vous et votre famille besoin d'aide légale gratuite?**

Nous sommes une organisation d'avocats et d'assistants légaux qui offre du conseil juridique et des services juridiques gratuits aux personnes en détention relative à l'immigration.

**Si vous n'avez jamais eu un rendez-vous avec nous et vous avez besoin d'une consultation initiale, téléphonez-nous au 855-672-4237 entre 8h30 et 17h30, lundi à vendredi.**

**Si vous savez la date de votre entrevue ou si vous avez reçu une décision, vous pouvez nous téléphoner au 855-672-4237 entre 8h30 et 17h30, lundi à vendredi.**

Si vous avez des questions ou souhaitez un rendez-vous avec nous, veuillez nous téléphoner. **Si vous avez besoin d'un téléphone, vous pouvez en demander un aux gardes.**

### ESPAÑOL

#### **Usted y su familia necesitan ayuda legal sin costo?**

Somos una organización de abogados que ofrece asesoría y servicios **GRATUITOS** a personas detenidas.

**Si nunca ha tenido cita con nosotros y necesita la consulta inicial llámenos al 855-672-4237 de 8:30am a 5:30pm, lunes a viernes.**

**Si sabe su fecha de entrevista o recibió decisión nos puede llamar al 855-672-4237 de 8:30am a 5:30pm, lunes a viernes.**

Si tiene preguntas o desea una cita, por favor llámenos. **Si necesita un teléfono puede pedirselo a uno de los guardias.**

### LINGALA

#### **Eske Yo na Libota na yo boza na posa ya lisungi ya batu ya mibeko (avocats)?**

Toza lisanga ya batu ya mibeko (avocats) pe to sungaka pona makambu oyo etali mibeko na ndenge esengeli na lolenge mibeko ezali ko senga pe to salaka yango ofele pona ko sunga batu oyo bakangami na boloko.

**Soki nanu bokutani na biso te, pe soki bozali ko luka bokutani ya liboso na biso, benga biso na: 855-672-4237 ko banda 8h30 tii na 17h30, ko banda mukolo ya Lundi tii na mokolo ya Vendredi.**

**Soki oyebi mukolo nayo ya ko samba to soki ozwi eyano sima ya ko samba nayo, okoki ko benga biso na: 855-672-4237 ko banda 8h30 tii 17h30, ko banda Lundi tii Vendredi.**

Soki ozali na mituna to soki olingi okutana na biso, benga biso. **Soki olingi lisungi ya telephone pona ko benga biso, okoki ko senga yango epayi ya mokengeli boloko.**

### CREOLE

#### **Èske ou menm ak fanmi ou bezwen èd legal gratis?**

Nou se yon òganizasyon ki gen avoka ak asistan legal ki ofri oryantasyon legal gratis ak sèvis pou moun ke yo arete.

**Si ou pat gen yon randevou avèk nou e ou bezwen yon premye konsiltasyon rele nou nan 855-672-4237 ant 8:30 AM ak 5:30 PM, lendi jiska vandredi.**

**Si ou konnen dat entèvyou ou oswa ou te resevwa yon desizyon ou ka rele nou nan 855-672-4237 ant 8:30 AM ak 5:30 PM, lendi jiska vandredi.**

Si ou gen okenn kesyon oswa ou vle yon randevou avèk nou, tanpri rele nou. **Si ou bezwen yon telefòn, ou ka mandé youn nan gad yo pou youn.**



- avèk ou.

**Name/Nombre/Nome/Nom/Kombo/Non**

**KNOW YOUR RIGHTS!**  
**VIEW ON CHANNEL 60**  
**CONOZCA SUS DERECHOS**  
**EN EL CANAL 60**  
**ESPAÑOL Y INGLES**

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**ORIENTATION VIDEO!**  
**VIEW ON CHANNEL 61**  
**VIDEO DE ORIENTACION!**  
**EN EL CANAL 61**  
**EN ESPAÑOL, KICHE Y MAM**

# WHAT ARE MY RIGHTS?

¿Cuáles Son Mis Derechos?

Quels sont mes droits?

ما هي حقوقي؟

Ki dwa mwen genyen?

Каковы мои права?

我有什么权利？



AMERICAN **BAR** ASSOCIATION

Commission on Immigration

## Detention and LOP Information Line

- **Who are we?**

The American Bar Association's  
Commission on Immigration  
receives calls from detainees to  
**provide legal information & resources**

- **How can we help?**

Explain types of relief such as:  
**Asylum, U-Visa, Bond**  
Provide lists of  
**Pro-Bono Legal Organizations**  
Offer reports on  
**Country Conditions & Human Rights**

- **How do you call?**

- 1) Follow the instructions on your posted **Pro Bono Speed Dial List**  
to access the Pro Bono System
- 2) Next, enter **2150#** when prompted to enter the speed dial number

We can receive calls in **SPANISH & ENGLISH** and occasionally **OTHER LANGUAGES**

# ¿CUÁLES SON MIS DERECHOS?



What are my rights?  
Quels sont mes droits?  
ما هي حقوقي؟  
Ki dwa mwen genyen?  
Каковы мои права?  
我有什么权利？



AMERICAN BAR ASSOCIATION

Commission on Immigration

## LÍNEA DIRECTA DE AYUDA PARA DETENIDOS

- ¿Quienes somos?

La American Bar Association  
Comisión de Inmigración  
Recibe llamadas de detenidos para  
**Proporcionarles información  
y materiales legales**

- ¿Cómo ayudamos?

Explicamos diferentes formas de  
remedio de inmigración, tales como  
**el asilo, la visa U y las fianzas**

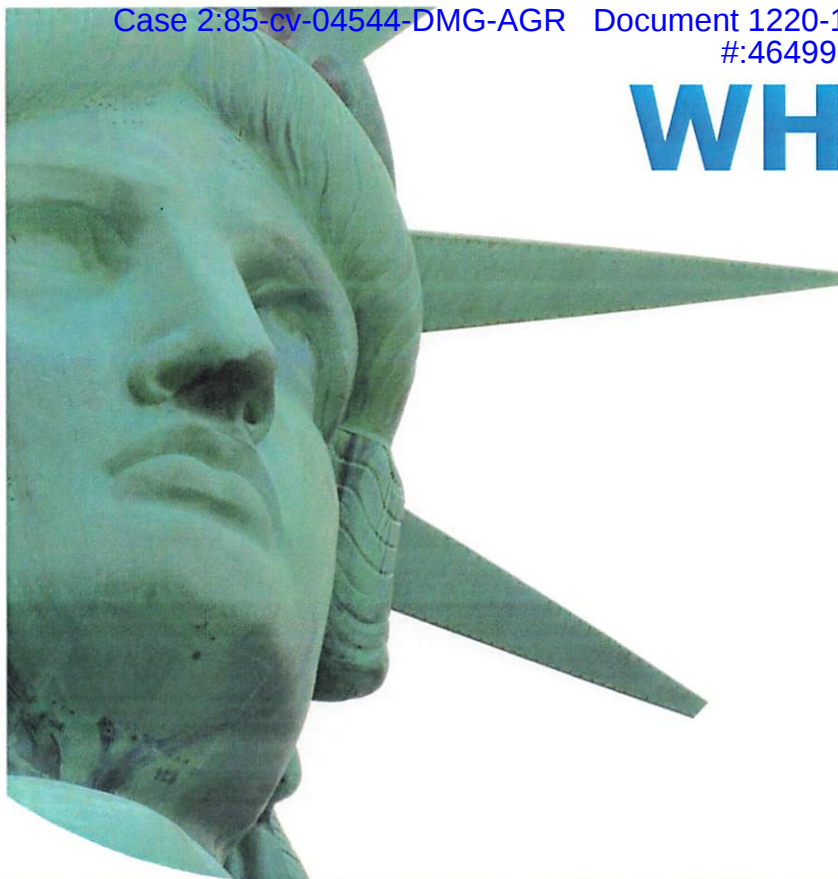
Proporcionamos listas de  
**organizaciones legales pro bono**  
Ofrecemos reportes de  
**derechos humanos en su país**

- ¿Cómo llamarnos?

1) Siga las instrucciones publicadas en su lista de  
*Pro Bono Speed Dial* para acceder al Sistema Pro Bono

2) Siguiente, marca **2150#** cuando se solicite marcar  
el número del Speed Dial

Podemos recibir llamadas en **español e inglés** y a veces en **otros idiomas**.



# WHAT ARE MY RIGHTS?

¿Cuáles Son Mis Derechos?

Quels sont mes droits?

ما هي حقوقي؟

Ki dwa mwen genyen?

Каковы мои права?

我有什么权利？



## Informations sur la détention et les niveaux de recours (LOP)

- **Qui sommes-nous ?**

La Commission d'Immigration de l'Association du Barreau Américaine accepte les appels des détenus pour leur fournir des **informations et des ressources légales.**

- **Comment pouvons-nous vous aider ?**

Expliquer les types de recours :

**Asile, U-Visa, Caution**

Fournir une liste avec :

**Organisations Légales Gratuites**

Offrir des rapports sur :

**Conditions des Pays et Droits Humains**

- **Comment appeler ?**

1) Suivez les instructions sur **Pro Bono Speed Dial List** pour accéder au système Pro Bono/Gratuit

2) Puis, composez le numéro abrégé **2150#** quand on vous le demande

On accepte des appels en **ESPAGNOL & ANGLAIS** et occasionnellement en d'**AUTRES LANGUES**

JANUARY 21, 2022  
ORR JUVENILE  
COORDINATOR REPORT

## **ORR JUVENILE COORDINATOR INTERIM REPORT**

**January 21, 2022**

**Aurora Miranda-Maese, ORR Juvenile Coordinator**

### **Introduction**

In accordance with the April 24, 2020 Order, issued by The Honorable Dolly M. Gee of The United States District Court for the Central District of California, the undersigned ORR Juvenile Coordinator, Aurora Miranda-Maese, has filed periodic interim reports during the pendency of the national health emergency related to the COVID-19 pandemic. Subsequently, at the May 7, 2021 status hearing, the Court issued a new Order, which modified the six original topics. At the last status hearing on November 12, 2021, the Court ordered the ORR Juvenile Coordinator to report on these topics as noted below. This report covers the period from October 16, 2021 to January 19, 2022.

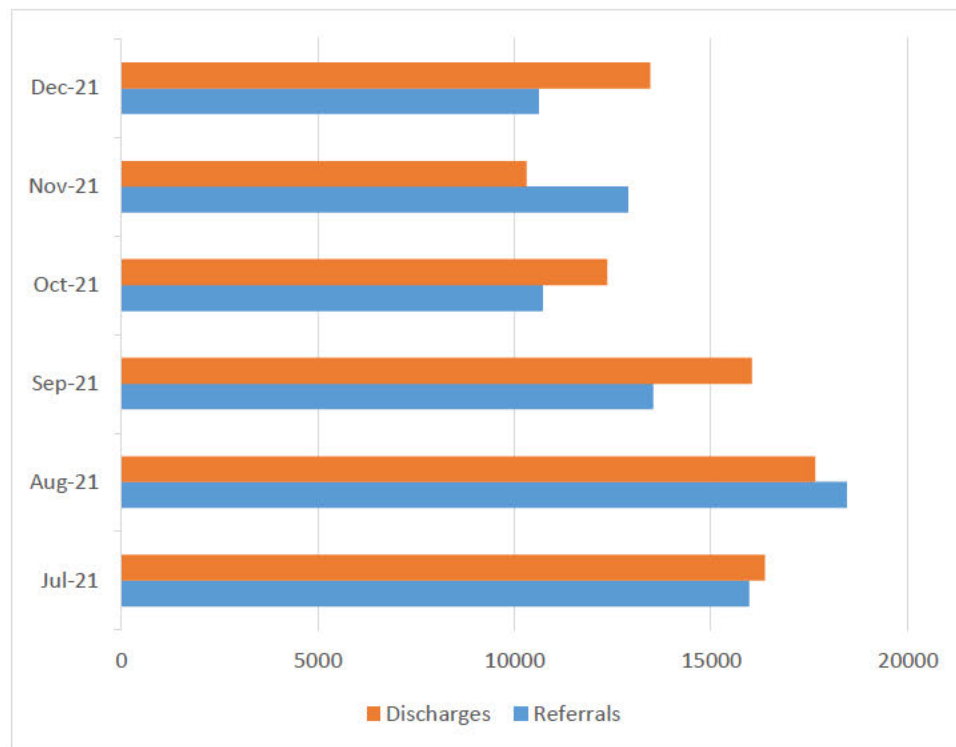
- 1) The census of minors in each of the agency's facilities.
- 2) An explanation for why some existing beds in licensed facilities and Influx Care Facilities are unoccupied, given the sizeable numbers of tender-age minors who are being held for extended periods in the EIS'.
- 3) The average length of stay for minors in the agency's facilities and for minors who have been released, with more details as to methodology to assist the Court and the parties in tracking these metrics.
- 4) Whether the Juvenile Coordinator has adequate personnel or other capacity to provide detailed monitoring of new or expanded facilities.
- 5) Census of minors in an EIS for more than 20 days and those minors' length of stay.
- 6) Updates on ORR's plans to improve case management and expedite release of minors.
- 7) Updates on ORR's plans, if any, to expand capacity, particularly of licensed shelter beds.
- 8) Updates on ORR's plans, if any, with respect to long-term use of EIS' and processes to transfer minors from EIS' into licensed facilities, if release to a sponsor is not feasible.
- 9) The number of minors currently testing positive for COVID-19.
- 10) Updates on ORR policies regarding the use of EIS', including policies and procedures to address COVID-19.

### ORR Capacity

During the current reporting period from October 16, 2021 to January 19, 2022, ORR received referrals for approximately 31,098 minors and discharged approximately 33,494 minors.

Figure 1 below provides information on ORR referrals and discharges for the last six months, beginning July 1, 2021 to December 31, 2021.

**Figure 1: ORR Referrals and Discharges from July 1, 2021 to December 31, 2021**



1) The census of minors in each of the agency's facilities.

Figure 2 below summarizes ORR's bed capacity as of January 19, 2022. This information is dynamic as ORR continues to aggressively pursue efforts to increase bed capacity. Therefore, it is likely that the information depicted in the figure below changed very soon after it was produced.

As noted in Figure 2, the census at the Carrizo Springs Influx Care Facility (ICF) remains low because the program continues to receive primarily only minors with a positive COVID-19 diagnosis and their siblings.

**Figure 2: ORR Bed Occupancy by Facility Type as of January 19, 2022<sup>1</sup>**

ORR Program Type	Total Beds	# of Beds Occupied	# of Beds Not Occupied
Shelter	8,204	6,787 83%	1,417 17%
Staff Secure	78	26 33%	52 67%
Secure	24	4 17%	20 83%
TFC	2,027	598 30%	1,429 70%
LTFC	483	396 82%	87 18%
Influx Care Facility (ICF)	908	205 23%	703 77%
Emergency Intake Site (EIS)	3,264	366 11%	2,898 89%
<b>TOTAL</b>	<b>14,988</b>	<b>8,382 56%</b>	<b>6,606 44%</b>

Figures 2 and 3 provide a depiction of capacity by facility type. A larger proportion of more restrictive facilities (i.e. secure, staff secure, and RTC) are not occupied as most minors do not meet the criteria for placement at those facilities. Regarding TFC and LTFC, ORR strives to place minors with families that are willing to accept them. In many cases, a foster care home may have specifications for the demographics able to reside with them (i.e. parenting teens, tender-age minors, and minors with special needs).

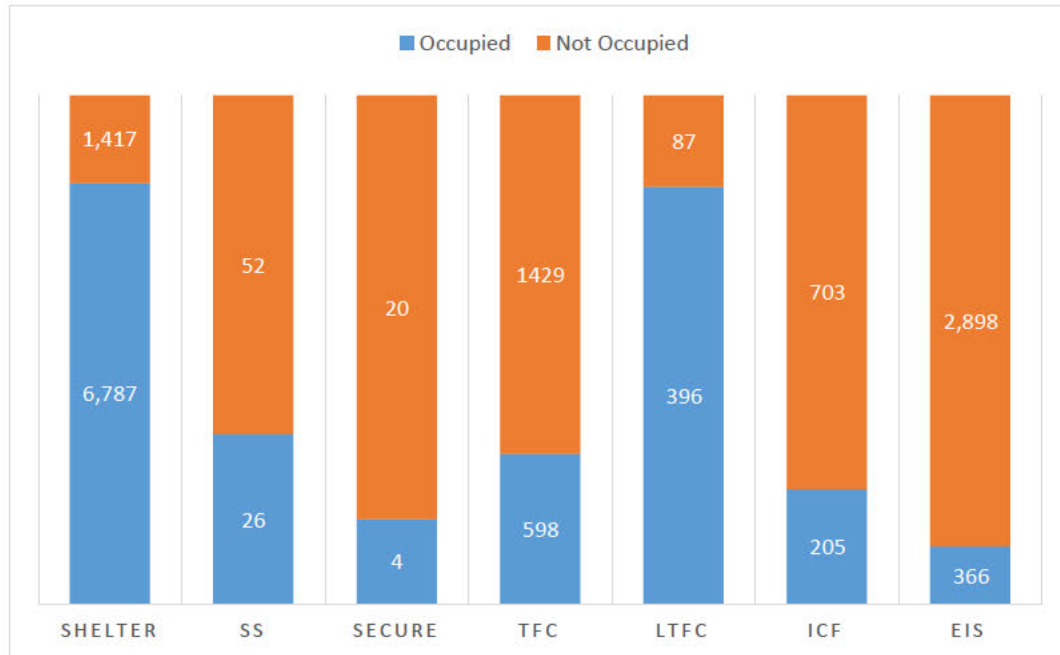
Also, although there are beds available at regular licensed shelters, the process to fill them remains strategic in light of the ongoing pandemic and maintaining a reserve of licensed beds for urgent matters is essential. For instance, a minor may require an immediate transfer from an EIS, or it may be necessary for a minor to be geographically relocated; these are two examples of factors that must be considered with regard to licensed bed availability.

When dealing with placing medically cleared minors in available beds, COVID-19 is not the only challenge presented to ORR. For instance, there are other communicable diseases and infections that require public health prevention and control measures in congregate settings; such as varicella, strep throat, and scabies. With these occurrences, all minors must be medically cleared prior to being transferred and/or traveling by commercial means. If a foster home is licensed to care for more than one minor, these factors have to

<sup>1</sup>The census for minors in ORR custody constantly fluctuates as children are admitted, transferred, and discharged at all times of each day. Therefore, the census reflected in Figure 2 and Figure 3 is a snapshot of the capacity at the exact time that the review was conducted. Furthermore, ORR is constantly reassessing bed capacity as circumstances regarding the COVID-19 pandemic and increasing number of minors requiring quarantine or medical isolation are referred to ORR. Figure 2 and Figure 3 reflect ORR's reassessed capacity as of January 19, 2022.

be considered, otherwise, the placement of minors may need to be temporarily suspended. Due to the examples above, it is necessary for a margin of licensed beds to remain available.

**Figure 3: ORR Bed Occupancy by Facility Type as of January 19, 2022<sup>1</sup>**



- 2) An explanation for why some existing beds in licensed facilities and Influx Care Facilities are unoccupied, given the sizeable numbers of tender-age minors who are being held for extended periods in the EIS'.

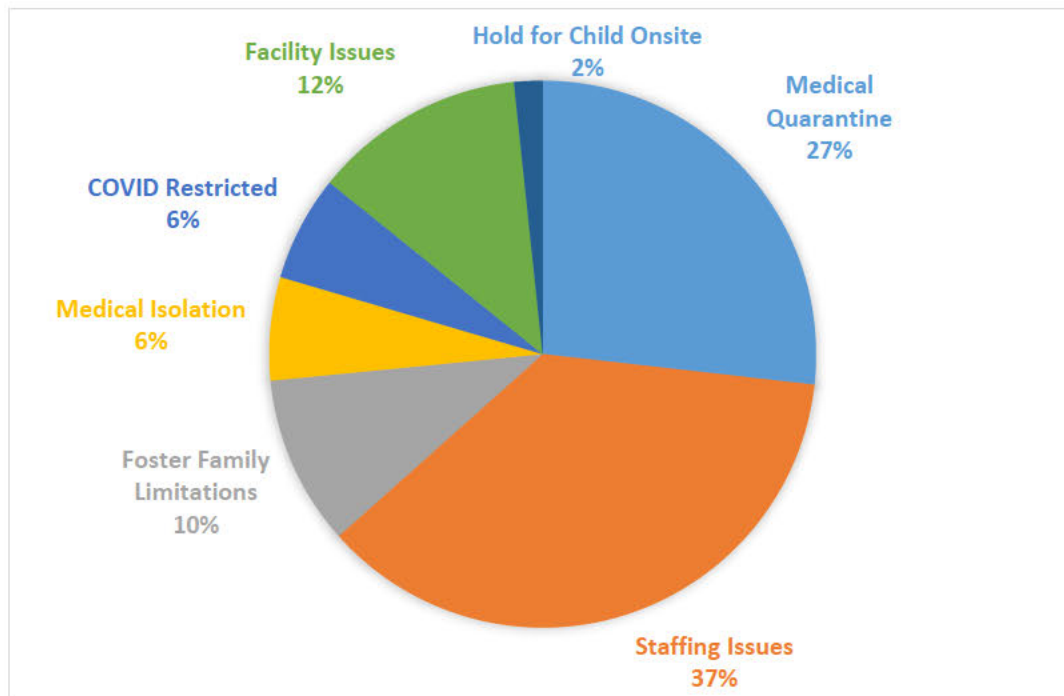
As of January 19, 2022, ORR had no tender-aged minors residing at EIS facilities.

During the historically high volume of unaccompanied minors arriving at the border, it was necessary to place some tender-aged minors in EIS to prevent remaining at border facilities for long periods of time. However, the current referral rate to ORR has reduced sufficiently that it is no longer necessary to place tender-aged minors at EIS.

ORR places minors in licensed programs according to the following priority: medical need, tender-age, trafficking concerns, and special populations. In addition, ORR elevates transfers from EIS for cases involving significant incidents and/or safety concerns.

ORR has encountered other factors that limit the availability of licensed beds. Figure 4 below provides a breakdown of the challenges limiting licensed bed availability as of January 19, 2022. Notably, the top four challenges related to bed availability in the ORR licensed programs are: 1) staffing issues; 2) medical quarantine; 3) facility issues; and 4) foster family specified limitations. These top four challenges account for 86% of the unavailable licensed beds.

**Figure 4: Factors Limiting ORR Licensed Bed Availability on January 19, 2022**



### Placement & Release of Minors in ORR Custody

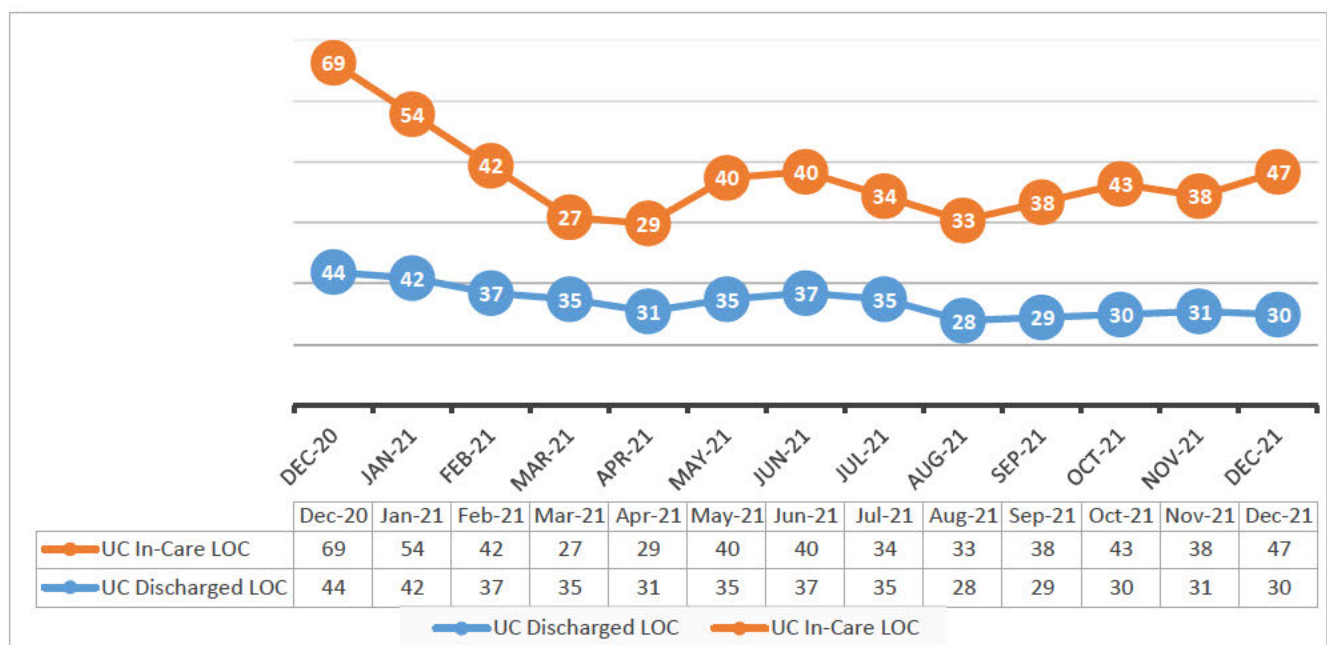
As depicted in Figures 1 to 3 above, ORR census has significantly declined during this reporting period. The arrival of minors in historically high numbers coincided with the nation's efforts to control the spread of COVID-19, which continues to remain a priority for ORR facilities. From March 2020 until March 2021, ORR and its care provider network operated with a reduced bed capacity in accordance with social distancing guidelines from the CDC, and public health officials. On March 5, 2021, ORR issued guidelines in consultation with the CDC, which urged facilities to expand bed capacity as much as possible and provided additional instructions for safeguarding against COVID-19.

ORR received 12,899 referrals in November, and 10,627 in December. As of January 19, 2022, ORR received 2,907 referrals. Overall, ORR received approximately 34,350 referrals in fiscal year (FY) 2021. Despite ORR's aggressive efforts to timely place minors in ORR facilities, the number of minors who arrived at the border outpaced the speed at which ORR could secure additional beds and staff. Despite this surge, ORR's efforts have significantly reduced the delays in transferring minors from CBP to ORR custody, with placement continuing to occur within 72 hours of apprehension by CBP.

- 3) The average length of stay for minors in the agency's facilities and for minors who have been released, with more details as to methodology to assist the Court and the parties in tracking these metrics

Figure 5 below is a measure of time that a minor remains in ORR care, which is known as the length of care (LOC). The first measure, labeled *UC In-care LOC*, tracks the average LOC for minors still in ORR custody as of December 31, 2021. For these minors, the LOC is calculated from the day they are admitted to ORR custody to December 31, 2021. The second measure, *UC Discharged LOC*, tracks the average LOC for minors from the day they are admitted into ORR custody to the day they are discharged from ORR custody.

**Figure 5: Average Length of Care for Minors as of December 31, 2021**



- 4) Whether the Juvenile Coordinator has adequate personnel or other capacity to provide detailed monitoring of new or expanded facilities.

Information for this report has continued to derive from a cross-section of personnel in the ORR Unaccompanied Children Program. The Juvenile Coordinator has continued to consult and participate in regular coordination meetings with several ORR teams including: Division for Planning and Logistics, Division of Health for Unaccompanied Children, Division for Unaccompanied Children Operations, Division of Policy and Procedures, Compliance and Monitoring Team, and the Data and Systems Team. All points of contact have been responsive to the Juvenile Coordinator's request for data, meetings and updates to information, despite their own workload demands.

## Case Management & Access to Counsel at EIS

### 5) Case management services at each EIS facility.

ORR submitted Standard Operating Procedures (SOP) to delineate the documentation and implementation of onsite and virtual case management procedures to execute the safe and timely discharge or transfer of minors from ORR EIS facilities.

In response to the recent shortage of available beds in the ORR network of licensed care providers for minors, EIS' were established to ensure minors are not in a Border Patrol station for more than 72 hours. EIS Case Management teams, including onsite and virtual roles, were developed to help ORR meet its mission to safely release minors to a vetted Sponsor or safely transfer minors without unnecessary delay.

In situations where virtual and onsite Case Managers are working collaboratively on unification cases, every effort is made to allow the virtual and the onsite Case Manager to work directly with each other to best coordinate Case Management services to minors. Case Management teams possess experience in all aspects of Case Management services for minors, as well as child welfare experience.

Figure 6 below details the number of Case Managers assigned to each of the operational EIS facilities as of January 14, 2022.

*Figure 6: Case Management at EIS as of January 14, 2022*

EIS Facility (Location)	Census of Minors	Total # of Case Managers	Ratio Case Managers to Minors
Ft. Bliss EIS (TX)	47	95	2:1
Pecos EIS (TX)	58	279	5:1

### 6) Access to Counsel

As a general matter, minors in ORR custody have access to counsel at their request. Section 3.3.10 of the ORR Policy Guide requires that minors have unlimited telephone access to attorneys representing them. Section 3.3 of the ORR Policy Guide also requires that minors receive legal services information, including a Legal Resource Guide and list of local pro bono legal service providers upon admission to ORR programs. This requirement applies to licensed facilities, Influx Care Facilities (ICF) and Emergency Intake Sites (EIS).

ORR funds access to legal counsel for minors on their immigration related cases through three mechanisms: 1) provision of Know Your Rights (KYR) presentations; 2) a legal consultation which screens minors for immigration related remedies; and 3) either direct representation or court assistance on immigration related matters. The decision whether to proceed with representation or court assistance on immigration related matters is at the discretion of the attorney and the minor. Additionally, ORR continues funding for direct representation for some minors after their release from ORR custody.

A legal service provider is assigned to every ORR facility, including ICF and EIS, for the purpose of carrying out these duties. At the EIS, priority is given to conducting KYR presentations and assisting minors with immediate immigration related needs through legal screening and direct representation/court assistance (see [ORR Field Guidance #8, Know Your Rights Presentations](#) issued by ORR on February 17, 2021).

Some EIS also offer drop-in office hours for minors to speak with them at will. Legal service providers have space at each EIS to conduct their services on multiple days, and in some cases, every day of the week. As of December 31, 2021, ORR funded the following services at EIS:

- KYR presentations to over 52,000 minors;
- Legal screening for over 21,500 minors;
- Legal assistance\* for over 8,000 minors; and
- Direct representation for over 11,000 minors

\*Legal assistance includes providing drop-in office hours, court assistance, and court preparation services to minors not receiving direct representation from an attorney.

In addition, ORR provides minors referrals to local legal service providers upon their release from ORR custody. Minors also receive additional KYR and legal screening from ORR funded legal services providers upon their transfer within the ORR care provider network.

ORR also provides funded legal services contractor information on all minors released from ORR custody (licensed facilities, ICF, and EIS) so that their sub-contracted legal service providers may offer KYR presentations and legal screening to minors released from ORR custody.

#### 7) Census of minors in an EIS for more than 20 days and those minors' length of stay.

As of January 19, 2022, ORR had a cumulative total of 57 minors in an EIS with length of stay (LOS) of over 20 days. This includes 52 minors whose LOS is between 21 and 40 days. It also includes 5 minors whose LOS is 41 to 60 days and no minors whose LOS is 61 days or higher. Figure 7 below provides a breakdown of LOS for each EIS.

**Figure 7: Census and LOS of Minors in an EIS as of January 19, 2022**

EIS Facility (Location)	LOS of 20 days or less	LOS of 21 to 40 days	LOS of 41 to 60 days	LOS of 61 days or more
Ft. Bliss (TX)	82	28	3	0
Pecos (TX)	82	24	2	0
<i>Total</i>	<i>164</i>	<i>52</i>	<i>5</i>	<i>0</i>

8) Updates on ORR's plans to improve case management and expedite release of minors.

On March 22, 2021, ORR issued guidance for the expedited release of eligible Category 1 cases (see [ORR Field Guidance #10, Expedited Release for Eligible Category One Cases](#)). ORR has prepared this field guidance to best serve minors in ORR custody who have parents or other potential Category 1 sponsors in the United States. Based on this guidance, a minor may be released on an expedited basis to their sponsor provided that the following conditions are met:

- If the child is screened and determined not to be especially vulnerable;
- If the child is not subject to a mandatory TVPRA home study; and
- If there are no other red flags present in the case (i.e. abuse or neglect)

In cases where expedited release is appropriate, ORR authorizes care providers to pay for the sponsor's travel to the ORR care provider facility to pick up the minor and complete paperwork at the facility (if approved). Travel arrangements should be made as soon as it appears that the minor's release is viable.

Additionally, ORR issued further guidance on May 14, 2021 for the expedited release of eligible minors (see [ORR Field Guidance #15, Release of Eligible Non-Sibling, Closely Related Children to a Category 1 or Category 2A Sponsor](#)). ORR prioritizes the placement of minors with parents, legal guardians, and close relatives who are available to provide custody in the United States. To that end, ORR instituted a revised policy for groups of closely related minors, which allows for the following:

- Expedited Release Procedures for Eligible Category 1 Cases to apply to a related child for whom the same sponsor serves as a Category 2 sponsor; and
- Category 2A background check requirements to apply to a related child for whom the same sponsor serves as a Category 2B sponsor

Under this policy, certain minors will be released to their parents or legal guardians (or Category 2A sponsors) using specialized procedures that modify standard release requirements under the ORR Policy Guide. In recognition of operational flexibilities that may require additional follow up, this field guidance may be further modified by ORR.

9) Updates on ORR's plans, if any, to expand capacity, particularly of licensed shelter beds.

Recognizing that most of these licensed facilities are near full capacity, ORR is reviewing new proposals offering additional licensed programs, and continues to accept recipient initiated supplemental requests for programs who can add additional capacity to existing programs. Also, current programs are exploring additional licensed facilities within their organizations. In December 2021, ORR posted a Notice of Funding Opportunity which will add additional capacity through new grants to the shelter/TFC network.

Despite these assertive and ongoing efforts to increase licensed bed capacity, the current influx levels have necessitated the need for ORR to continue operating a non-state licensed Influx Care Facility (ICF) and continue to use EIS facilities. The EIS facilities are part of a multi-pronged approach to absorb the surge of minors.

EIS facilities are designed for mass care and offer basic standards of care for minors such as providing clean and comfortable sleeping quarters, meals, toiletries, laundry, and access to medical services. A COVID-19 health screening protocol for all minors is implemented to follow CDC guidelines for preventing and controlling communicable diseases. For minors diagnosed with COVID-19, EIS facilities either have established medical isolation areas or are designated for only minors that test negative for COVID-19.

In addition to medical and mental health services, case management and legal services (as noted above) are available at all sites that remain open. Furthermore, these sites have implemented educational and recreational services as well. Figure 8 below provides details on capacity and placements at EIS and ICF as of January 19, 2022.

**Figure 8: ORR EIS and ICF Operational as of January 19, 2022<sup>2</sup>**

EIS/ICF Facility (Location)	Total Beds	Beds Occupied	Beds Not Occupied
Ft. Bliss EIS (TX)	1500	168	1332
Pecos EIS (TX)	1764	198	1566
Carrizo Springs ICF (TX)	908	205	703
<i>Total</i>	<i>4,172</i>	<i>571</i>	<i>3,601</i>

ORR continues to work to safely increase capacity in its permanent/licensed network by continuing to implement CDC COVID-19 guidance.

With regard to the operation of EIS facilities, currently there is a concern with the lack of staff. ORR's licensed shelter facilities are also struggling with staffing shortages and are having a hard time filling positions.

Other issues or concerns cited continue to include: low morale, the inability to telework, working additional hours due to coverage needs, delays with State licensing to complete the clearance process, and concerns regarding travel during the pandemic. ORR has been working with programs to identify strategies to mitigate staffing challenges where possible. Additionally, although most EIS sites have closed, challenges to hiring and retention remain, thereby reducing competition for the limited pool of child-care staff and other personnel.

10) Updates on ORR's plans, if any, with respect to long-term use of EIS' and processes to transfer minors from EIS' into licensed facilities, if release to a sponsor is not feasible.

On June 21, 2021, ORR issued guidance for the expansion of long-term foster care eligibility (see [ORR Field Guidance #18, Expansion of Long-Term Foster Care Eligibility](#)). ORR has prepared this field guidance in an

<sup>2</sup>The information reflected in Figure 8 represents ORR's EIS facilities that are operational as of January 20, 2022. Omitted from this chart are the eleven EIS that closed during the reporting period. The closed EIS' are: Delphi (Donna, TX), Dimmit (Carrizo Springs, TX), Freeman Expo Center (San Antonio, TX), Kay Bailey Hutchinson Convention Center (Dallas, TX), Lackland (Lackland, TX), Long Beach EIS (Long Beach, CA), Midland (Midland, TX), NACC Houston (Houston, TX), PIA (Erie, PA), San Diego (San Diego, CA), and Pomona EIS (Pomona, CA).

effort to expand eligibility for long-term foster care (LTFC) for certain Category 4 minors. Under this field guidance, minors meeting the following conditions are eligible for LTFC:

- Is a Category 4 case and remains without a sponsor or potential sponsorship options;
- Is currently placed in a state-licensed ORR care provider shelter (specifically a congregate care setting); and,
- Is not otherwise ineligible for LTFC under ORR Policy Guide Section 1.2.61 due to a moderate or high escape risk; criminal history or concerns about dangerousness; or the minor is seeking voluntary departure.

Placement delays have significantly reduced, and ORR remains focused on addressing minors with lengthy LOS at EIS and licensed facilities. These efforts include continuing assessments of methods of expediting release, transfer of minors to licensed facilities when release is not imminent and encouraging the expansion of licensed care facilities. ORR's efforts are flexible and dynamic as the situation requires readjustments in real time as new concerns emerge and issues change.

In addition, ORR is working with other agencies, establishing collaborative relationships with Customs and Border Patrol (CBP) and the Federal Emergency Management Agency (FEMA) to ensure that unaccompanied migrant minors are safe and unified with family members or other suitable sponsors as quickly and safely as possible.

### COVID-19 in ORR Facilities

As of January 12, 2022, there are a total of 162 minors in ORR custody in licensed shelters who have been diagnosed with COVID-19 and who are currently in medical isolation. Eighty (80) of these minors were diagnosed with COVID-19 either prior to placement in ORR facilities or during the initial intake period (first 14 days), and eighty-two (82) minors likely acquired COVID-19 while in ORR facilities (more than 14 days after arrival). Minors who test positive for SARS-CoV-2 more than 14 days (the maximum incubation period for SARS-CoV-2) after being admitted to ORR care were likely infected while in ORR care, through contact with infected staff members or other minors, or in community settings within the facility or medical office visits. It is often not possible to determine the exact timing and source of infection because many minors are asymptomatic and because a person who has recovered from COVID-19 may continue to have a positive test result for several weeks after illness.

As of December 20, 2021, the Omicron variant had been detected in most states and was rapidly spreading through the U.S. due to increased transmissibility of the variant and the ability to evade immunity from past infection or vaccination. Breakthrough infections in people who are fully vaccinated have occurred, although the current vaccines are expected to protect against severe illness, hospitalization and death. All COVID-19 prevention and control measures remain in place at ORR facilities.

ORR usually places minors newly referred along the Southwest Border into shelters local to the site of referral. On March 13, 2021, ORR issued guidance (COVID-19: Interim Guidance for Shortening Quarantine Duration and Increasing Testing for ORR Facilities) that now recommends minors be quarantined for seven

days. Minors are released from quarantine if they remain asymptomatic and test negative both on entry to the program and within 48 hours before the end of their quarantine period. To decrease overcrowding at CBP facilities, shortening the quarantine period to seven days with a negative test result is advised based on CDC recommendations at all ORR facilities.

According to the revised ORR guidance issued on March 13, 2021, contact tracing should begin immediately if anyone tests positive for COVID-19. Minors who test positive for COVID-19 will be isolated until they meet the criteria to discontinue isolation. Minors exposed to COVID-19 shall be quarantined for seven days and tested by the 5th, 6th or 7th day of their quarantine. Minors will be released from quarantine upon receiving a negative test result.

Since the beginning of the pandemic, more than 272,841 COVID-19 viral tests have been completed for the unaccompanied minors in ORR's program.

ORR does not require that staff disclose their private medical information as it relates to COVID-19; however, some staff voluntarily reported this information. Since collecting information, ORR has been notified of 1,921 (cumulative) personnel with positive COVID-19 test results as of January 12, 2022.

On December 31, 2021, ORR issued new 'return to work' guidance for program staff who are isolating with a COVID-19 infection or quarantining due to exposure to COVID-19. This guidance was developed in collaboration with the CDC and allows ORR to maintain critical staffing levels and services while minimizing COVID-19 risks to minors. Staff with positive COVID-19 test results are required to medically isolate for at least 5 days and may return to work on day 6 if they test negative with a COVID-19 antigen test and their symptoms are absent or improving.

Staff with suspected exposure to COVID-19 have different quarantine requirements depending on their vaccination status and whether they develop COVID-like symptoms. Quarantine ranges from 0 days for a fully vaccinated and boosted staff member who remains symptom-free to 5 days for a staff member who develops COVID-like symptoms. Per ORR guidance, staff returning from isolation or quarantine must wear appropriate masks or respirators while working.

At this time, care provider program staff who are eligible for the COVID-19 vaccine based on the CDC's Advisory Committee on Immunization Practices (ACIP) recommendations and the recommendations of their state and local jurisdictions may opt to receive the vaccine, which is now readily available to adults.

11) The number of minors currently testing positive for COVID-19.

The Juvenile Coordinator consulted with the Division of Health for Unaccompanied Children (DHUC) to determine the likely source of infection for minors who were diagnosed with COVID-19 and are currently in medical isolation. Figure 9 below provides the census data for these minors as of January 12, 2022.

**Figure 9: Positive COVID-19 Minors in Medical Isolation as of January 12, 2022<sup>3</sup>**

Program Name (Location)	Bed Capacity	Beds Occupied	Positive Minors During initial intake period	Positive Minors Likely acquired in ORR care
[REDACTED] (AZ)	19	16	1	0
[REDACTED] (IL)	12	12	1	0
[REDACTED] (FL)	18	16	1	0
[REDACTED] (TX)	120	95	1	2
[REDACTED] (TX)	62	58	0	5
[REDACTED] (TX)	120	114	2	0
[REDACTED] (TX)	77	50	3	2
[REDACTED] (TX)	424	394	17	0
[REDACTED] (TX)	101	32	1	1
[REDACTED] (TX)	31	7	0	1
[REDACTED] (NY)	50	29	0	1
[REDACTED] (MI)	23	23	0	1
[REDACTED] (NY)	24	24	0	2
[REDACTED] (NJ)	6	6	0	2
[REDACTED] (TX)	80	44	1	5
[REDACTED] (TX)	88	70	2	0
[REDACTED] (NY)	117	103	0	1
[REDACTED] (WA)	6	5	0	3
[REDACTED] (TX)	76	60	1	0
[REDACTED] (AZ)	46	41	4	0
[REDACTED] (IL)	18	18	0	7
[REDACTED] (FL)	126	34	0	5
[REDACTED] (PA)	10	10	0	1
[REDACTED] (NY)	27	24	0	7
[REDACTED] (TX)	51	30	1	0
[REDACTED] (IL)	6	6	0	1
[REDACTED] (OR)	12	7	0	1
[REDACTED] (AZ)	36	16	1	0
[REDACTED] (TX)	73	64	1	0
[REDACTED] (TX)	32	32	1	0
[REDACTED] (TX)	65	61	2	0
[REDACTED] (AZ)	150	127	1	0
[REDACTED] (AZ)	51	50	1	3

<sup>3</sup>Figure 9 is a result of the data gathered by the ORR Juvenile Coordinator in consultation with DHUC as it pertains to minors diagnosed with and currently isolated for COVID-19 throughout the licensed shelter network. This information reflects the status as of January 12, 2022. In addition, the bed capacity and census for each shelter is a snapshot in time as this information is constantly changing as developments arise.

Program Name (Location)	Bed Capacity	Beds Occupied	Positive Minors During initial intake period	Positive Minors Likely acquired in ORR care
██████████ (TX)	151	121	2	0
██████████ (TX)	48	48	1	0
██████████ (TX)	1078	862	1	0
██████████ (TX)	214	204	5	15
██████████ (TX)	201	176	0	1
██████████ (TX)	57	56	1	0
██████████ (TX)	352	269	1	8
██████████ (AZ)	90	71	1	0
██████████ (TX)	134	116	1	0
██████████ (TX)	30	22	1	0
██████████ (TX)	300	204	1	0
██████████ (AZ)	363	316	8	0
██████████ (TX)	492	492	0	6
██████████ (TX)	204	128	4	0
██████████ (TX)	68	44	1	0
██████████ (FL)	94	85	9	1
<i>Total</i>	-	-	80	82

A COVID-19 health screening protocol for all minors is implemented to follow CDC guidelines for preventing and controlling communicable diseases. For minors diagnosed with COVID-19, EIS facilities have established medical isolation areas. In addition to medical and mental health services, case management and legal services are available for all sites that remain open. Figure 10 below provides details on minors placed in EIS and ICF with a positive COVID-19 diagnosis.

**Figure 10: Positive COVID-19 Minors in Medical Isolation as of January 12, 2022<sup>4</sup>**

EIS/ICF Facility (Location)	Bed Capacity	Beds Occupied	Positive Minors
Ft. Bliss EIS (TX)	1500	75	11
Pecos EIS (TX)	1808	125	26
Carrizo Springs ICF (TX)	977	143	12
<i>Total</i>	-	-	49

<sup>4</sup>Figure 10 are the results of the data gathered by the ORR Juvenile Coordinator in consultation with DHUC as it pertains to minors diagnosed with and currently isolated for COVID-19 throughout ORR EIS' and ICF. As reflected in Figure 10 above, there are currently no minors residing at Starr Commonwealth EIS. This information reflects the status as of January 12, 2022. In addition, the bed capacity and census for each shelter is a snapshot in time as this information is constantly changing as developments arise.

12) Updates on ORR policies regarding the use of EIS', including policies and procedures to address COVID-19.

The CDC and the Southwest Border Migrant Health Task Force (SWBMHTF) is providing technical support and guidance to Emergency Intake Sites (EIS) on COVID-19 and communicable disease prevention and control. The ORR Division of Health for Unaccompanied Children (DHUC) meets with SWBMHTF several times a week to discuss ongoing guidance, developments and to troubleshoot site-specific issues that arise.

SWBMHTF currently recommends the following COVID-19 testing protocol for minors at EIS facilities. Specific protocols are adapted to each EIS as necessary to work within any resource constraints. Prior to a minor being transported to an EIS they are tested for COVID-19. Minors are tested every three days subsequent to their arrival to an EIS. Also, a minor is immediately tested if symptoms of COVID-19 develop.

Minors are required to quarantine for the first 7 days after admission to an EIS and can be released from quarantine on the morning of day 8 if they remained asymptomatic and had a negative COVID-19 test in the 48 hours prior. Minors that test positive for COVID-19 are required to be isolated for 10 days from the date the positive test was collected, or 10 days from the date of symptom onset if symptomatic.

EIS facilities are required to report positive and negative COVID-19 rapid antigen test results to the local health department. CDC SWBMHTF collects aggregate, non-identifiable positive COVID-19 test results for each EIS and reports them to ORR. EIS facilities are also required to complete the "Emergency Intake Site (EIS) Discharge and Transfer Record of Public Health and Medical Information" form for all minors discharged from an EIS. This form accompanies the minor to their final destination to ensure medical services are complete and not duplicated. Medical contractors provide public health and medical care at each EIS facility. The specific contractor at each facility varies. Medical contractors are required to adhere to all of the above requirements.

### COVID-19 Plans on Vaccine Distribution

On March 2, 2021, the President directed all states to prioritize school staff and childcare workers for COVID-19 vaccination, and is encouraging them to get teachers, school staff, and workers in childcare programs their first shot by the end of March. The Department of Health and Human Services has determined that staff in organizations caring for minors through the Unaccompanied Refugee Minors (URM) Program and Unaccompanied Children (UC) Care Provider Organizations are eligible for vaccination through this directive as childcare workers.

The Pfizer-BioNTech COVID-19 vaccine is now authorized for use in persons aged 5 years and older. ORR will update COVID-19 vaccination guidance for the UC Program as new ACIP recommendations for pediatric populations are released.

As of January 12, 2022, 54,804 (cumulative) minors have received the first dose of the COVID-19 vaccine in ORR care (e.g. some minors were vaccinated in home country), and 12,475 (cumulative) minors have received a second dose in ORR care.

Under revised guidance issued by ORR on June 10, 2021, all age-eligible minors at licensed ORR care provider programs, ICF and EIS should receive the COVID-19 vaccine (see [ORR Field Guidance #17, COVID-19 Vaccination of Unaccompanied Children \(UC\) in ORR Care](#)). Minors who are newly referred to ORR care should receive the COVID-19 vaccine as part of their initial medical exam (IME) or modified health assessment (MHA). Minors who are in ORR care and have already completed their IME or MHA should be vaccinated as soon as possible, as long as vaccination does not delay reunification.

### Summary

The undersigned respectfully submits this report to the Court pursuant to the Court Order dated November 12, 2021. The undersigned will continue to work independently and with the Special Master and will continue to file interim reports per the Court's directive to monitor facilities to assure compliance with CDC guidance and adherence to ORR guidelines.