

1 CHAD A. READLER
 2 Acting Assistant Attorney General
 3 WILLIAM C. PEACHEY
 4 Director
 5 WILLIAM C. SILVIS
 6 Assistant Director
 7 SARAH B. FABIAN
 8 Senior Litigation Counsel
 9 NICOLE MURLEY
 10 Trial Attorney
 11 U.S. Department of Justice
 12 Office of Immigration Litigation
 13 District Court Section
 14 Box 868, Ben Franklin Station
 15 Washington, DC 20442
 16 Telephone: (202) 532-4824
 17 Fax: (202) 616-8962

ADAM L. BRAVERMAN
 Acting United States Attorney
 SAMUEL W. BETTWY
 Assistant U.S. Attorney
 California Bar No. 94918
 CAROLINE J. PRIME
 Assistant U.S. Attorney
 California Bar No. 220000
 Office of the U.S. Attorney
 880 Front Street, Room 6293
 San Diego, CA 92101-8893
 619-546-7125 / 7183
 619-546-7751 (fax)

*Attorneys for Federal Respondents-
 Defendants*

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

MS. L., et al.

Petitioner-Plaintiff,

vs.

U.S. IMMIGRATION AND CUSTOMS
 ENFORCEMENT, et al.,

Respondents-Defendants.

Case No. 18-cv-428 DMS MDD

Declaration of Andrew Lorenzen-Strait

DECLARATION OF ANDREW LORENZEN-STRAIT

I, Andrew R. Lorenzen-Strait, hereby make the following declaration with respect to the above-captioned matter:

1. I am the Deputy Assistant Director of the Custody Programs Division (CPD), Enforcement and Removal Operations (ERO), U.S. Immigration and Customs Enforcement (ICE), Department of Homeland Security (DHS). In this capacity, I oversee two units that create and implement policies and programs that promote the safety and welfare of aliens subject to enforcement actions. The Custody Reporting and Strategy Unit (CRSU) develops strategic systems and collects, analyzes, and evaluates internal and external information to promote and improve compliance with ERO practices, processes, and standards. The Special Populations and Programs Unit (SPPU) strengthens the integrity of the agency's immigration enforcement activities by creating and leading innovation programs in areas that promote the health, safety, and welfare of vulnerable populations. These efforts include, but are not limited to: parental interests; religious accommodation; sexual assault and abuse prevention and intervention; LGBTI care and language access.
2. I have been in this position since April 2013. Prior to that I was the ICE Public Advocate from February 2012 to April 2013.

Parental Interests in General

3. In the course of enforcing our immigration laws, ICE regularly detains alien parents. For this reason, ICE has longstanding policies in place to address the parental interests of aliens detained in our custody. These policies recognize the special vulnerabilities of this population and stress the importance of continued communication of parents with their minor children. For example, all versions of the ICE detention standards require Field Office Directors (FODs) to facilitate visits by detainees' minor children, stepchildren, and foster children. *See* NDS 2000 ("Visitation" standard, part III.H.2.d); PBNDS 2008 ("Visitation" standard, part V.I.2.c); PBNDS 2011 (Standard 5.7, "Visitation," part V.I.2.b).
4. Moreover, the ICE "Detention and Removal of Alien Parents or Legal Guardians" policy requires ICE to facilitate a means of regular visitation between detained parents and their minor child(ren) and for coordinated travel and participation in family welfare hearings as appropriate. ICE has had this policy in place since _____. The latest version of this policy was published on August 20, 2017. Through these initiatives ICE has addressed issues that affect parents detained in ICE custody.

Current Efforts at Facilitating Parental Interests

1. One way alien parents come into ICE custody is as a result of a family unit that has been separated upon encounter. Children may be separated from the adult(s) with whom they are traveling at the time of apprehension for several reasons: the adult being prosecuted for violating U.S. criminal laws; a lack of identity documents or other evidence validating a parent or legal guardian relationship with the alien child;

medical or other issues affecting the adult; or additional factors that contribute to a DHS assessment that separation will protect the health, safety and well-being of the child. These factors could include the adult's criminal or immigration history, observed behaviors or actions that cause DHS to become concerned for the welfare of the child, concern about false parental or familial relationship, or a suspicion of smuggling. In all instances, the adult alien will be transferred to the custody of Immigration and Customs Enforcement (ICE) either immediately following an encounter with immigration authorities or upon completion of a criminal sentence if the adult alien was referred for criminal prosecution. The minor children enter the custody of HHS, ORR.

2. It is the understanding of ICE that family separations should be documented during initial processing with CBP. If available, ICE will have this information during the book-in process and can thus identify the child and his or her location within ORR. When possible, the information is also forwarded to ORR. Once a parent is transferred into ICE custody after prosecution and the child is placed in ORR custody, ICE will make every effort to ensure communication takes place as quickly as possible once the relationship is verified.
3. In order to make parents aware of available resources ERO has created posters, in multiple languages, that explain to a parent/guardian how to request an opportunity to communicate with his or her child. ICE also operates a toll-free call center Monday-Friday between the hours of 8:00 am – 8:00 pm (EST) which assists in

parents in locating and setting up regular communication with a child in HHS custody.

4. ERO Officers in adult detention facilities, working with ERO Officers assigned to handle juvenile cases, identify the ORR facility where the child is housed and coordinate with ORR to arrange possible times for the parent/guardian to communicate with the child.
5. ERO and ORR have established multiple options for a detained parent/guardian to communicate with a child in ORR custody. Upon verification of the parent/guardian and child relationship, ERO Officers, ORR staff, and contractors will work to schedule communications via facility hardline telephones, Skype, or FaceTime.
6. A parent who is ordered removed may request to be reunified with his or her child/ren prior to removal in order to return as a family unit. ICE will facilitate the reunification of the family prior to repatriation and arrange for the family to fly together. Where a child is in the care and custody of HHS/ORR, ICE works with ORR to reunite the parent and child at the time of removal and with the consulate to assist the parent with obtaining a travel document for the child.
7. If the parent chooses to have his or her children not accompany him or her, ICE accommodates, to the extent practicable, the parent's efforts to make provisions for their children.

Family Residential Centers

8. ICE has family beds available at its family residential centers (FRC). There are 2400 at beds available at the South Texas Family Residential Center (Dilley) in Dilley, Texas, 830 at Karnes Family Residential Center (Karnes) in Karnes, Texas, and 96 at Berks Family Residential Center (Berks) in Berks County, Pennsylvania. The availability of bed space depends on the family unit configuration including the gender of the parent and age of the children so some beds are rendered unusable. For example, Berks currently only houses families with male heads of household. Moreover, criminals cannot be housed with children so generally individuals with a criminal history will not be eligible to reside at an FRC. In addition, the nature of the FRC is such that housing criminals would not be appropriate. The facilities have an open plan that permit residents to roam freely inside the facilities and housing criminals would present an unacceptable risk to vulnerable residents. Facilities may make exceptions on a case-by-case basis where an individual in a family unit is only convicted of minor offenses. However, FRC's are not available for individuals with a violent or significant criminal history and there must be no history of gang affiliation. Consequently, FRC's are not available for every apprehended family unit.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 26th day of June 2018.



Andrew R. Lorenzen-Strait

Deputy Assistant Director, Custody Programs Division

U.S. Immigration and Customs Enforcement

DATED: June 26, 2018

Are You Detained and Separated From Your Child(ren)?

Even though you are in immigration detention you can still communicate with your child(ren) and make decisions about their care.

¿Está usted detenido y separado de su(s) hijo(s)?

Aún cuando se encuentre detenido por inmigración, usted puede comunicarse con su(s) hijo(s) y tomar decisiones sobre su cuidado.



U.S. Immigration
and Customs
Enforcement

You can ask for help locating and/or getting in contact with your child(ren) by making the following free calls from your housing unit phones. Ask facility staff for instructions on making phone calls using the pro bono phone platform.

- If you need assistance locating your child(ren) or setting up regular communication with your child(ren), call the **Detention Reporting Information Line (Speed Dial 9116# on the Free Call Platform)**.
- If you know that your child(ren) is in the custody of the U.S. Government, call the **Office of Refugee Resettlement (ORR) Parent Hotline using the free speed dial 699# on the detention phones**.

In addition to calling, you may also fill out a detainee request form asking an ICE officer for assistance in locating and/or communicating with your child.

ICE and ORR work together to locate children, verify the parent/child relationship, and set up regular communication and removal coordination, if necessary.

Additional information regarding your parental rights may be found in the Women's Refugee Commission's self-help toolkit, *Detained or Deported: What About My Children*, available on the law library computers.

Usted puede pedir ayuda para localizar y/o ponerse en contacto con su(s) hijo(s) al realizar las siguientes llamadas sin costo alguno desde el teléfono de la unidad ubicada en su habitación. Solicite las instrucciones del personal de las instalaciones sobre cómo realizar llamadas por teléfono utilizando la plataforma gratuita.

- Si usted necesita asistencia para localizar a su(s) hijo(s) o para establecer comunicación continua con éstos, llame a la **Línea de Información y Denuncias de los Centros de Detención (Marque 9116# desde la plataforma gratuita)**.

- Si usted sabe que su(s) hijo(s) está(m) bajo la custodia del gobierno de los Estados Unidos, llame a la línea telefónica para padres de la **Oficina de Reasentamientos de Refugiados (ORR, por sus siglas en inglés) marcando el número gratuito 699# desde cualquiera de los teléfonos de su centro de detención**.

Además de llamar, usted puede llenar un formulario de solicitud del detenido. Para solicitar asistencia en localizar y/o comunicarse con su hijo(s), pida ayuda a un oficial del Servicio de Inmigración y Control de Aduanas de los Estados Unidos (ICE, por sus siglas en inglés).

El Servicio de Inmigración y Control de Aduanas de los Estados Unidos (ICE, por sus siglas en inglés) y la Oficina de Reasentamiento de Refugiados (ORR, por sus siglas en inglés) trabajan en conjunto para localizar niño(s), corroborar la relación familiar entre padres e hijos, establecer comunicaciones continuas entre éstos, y coordinar la expulsión conjunta de padres e hijos de ser necesaria.

Para obtener más información sobre sus derechos parentales, lea el material de autoayuda de la Comisión de Mujeres Refugiadas *Detained or Deported: What About My Children? (Detenidas y Deportadas: ¿Qué les pasará a mis hijos?)*, disponible en las computadoras de las bibliotecas legales.





Next Steps for FAMILIES

STEP 1

- ❖ You are currently in the custody of the U.S. Department of Homeland Security (DHS) Customs and Border Protection (CBP).
- ❖ You have been charged with the crime of illegal entry into the United States.

STEP 2

- ❖ Within the next 48 hours, you will be transferred to the custody of the U.S. Department of Justice (DOJ) and will be presented before a judge for having violated this law.
- ❖ While this process is occurring, your child or children will be transferred to the U.S. Department of Health and Human Services (HHS), Office of Refugee Resettlement (ORR), where your child will be held in a temporary child shelter or hosted by a foster family.
- ❖ DHS and HHS can take steps to facilitate reunification with your child(ren).

STEP 3

How do I locate my child(ren)?

Action 1 - Call U.S. Immigration and Customs Enforcement (ICE) Call Center.

- If calling from outside of an ICE detention facility, call 1-888-351-4024.
- If calling from an ICE detention facility, call using speed dial 9116# on the free call platform.
- Available Monday – Friday, 8am to 8pm EST. Language assistance is available.

Action 2 - Call the ORR Parent Hotline.

- If calling from outside of an ICE detention facility, call 1-800-203-7001.
- If calling from an ICE detention facility, call using speed dial 699# on the free call platform.
- Please provide the child's full name, date of birth, and country of origin. It is helpful to give the child's A number, or alien registration number, to the operator if you have it.
- Available 24 hours a day, 7 days a week, in Spanish or English.

Action 3 - Friends, family, ORR staff, and legal representatives can assist you by emailing:

- ICE at Parental.Interests@ice.dhs.gov
- ORR at information@ORRNCC.com

STEP 4

- ❖ After your court hearing, you will be transferred to ICE custody.
- ❖ While you are in ICE custody:
 - ICE will work with ORR to schedule regular communication (via telephone and/or video teleconferencing) with your child(ren).
 - ICE will provide access to legal self-help materials.



Child's A# / Hijos A#

PASO 1

- ❖ Usted está actualmente en la custodia del Departamento de Seguridad Nacional de los Estados Unidos (DHS) Oficina de Aduanas y Protección Fronteriza (CBP).

PASO 2

- ❖ Usted está acusado del delito de entrar a los Estados Unidos ilegalmente.
- ❖ Dentro las próxima 48 horas, usted va a ser transferido a la custodia del Departamento de Justicia de EE. UU. (DOJ) y vas a aparecer antes de un juez por haber violado la ley.
- ❖ Mientras que ocurre este proceso, su hijo o hijos serán transferidos al Departamento de Salud y Servicios Humanos de EE. UU. (HHS) Oficina de Reubicación de Refugiados (ORR) donde su hijo será puesto en un refugio para niños o será cuidado por una familia sustituta.
- ❖ DHS y HHS pueden tomar los pasos necesarios para facilitar la reunificación con sus hijos.

PASO 3

¿Como ubico mis hijos?

Acción 1 - Llame el Centro de Llamadas del Servicio de Inmigración y Control de Aduanas de EE. UU. (ICE)

- Si usted llama fuera de un centro de detención de ICE, llame 1-888-351-4024.
- Si usted llama desde un centro de detención de ICE, llame usando la marcación rápida 9116# en la plataforma de llamadas gratuitas.
- Accesible lunes-viernes, 8am a 8pm EST. Asistencia para hablar en su idioma está disponible.

Acción 2 - Llame la Línea para Padres del ORR.

- Si usted llama fuera de un centro de detención de ICE, llame, llame 1-800-203-7001.
- Si usted llama desde un centro de detención de ICE, llame usando la marcación rápida 699# en la plataforma de llamadas gratuitas.
- Por favor proporcione el nombre completo de su hijo, la fecha de nacimiento, y su país de origen. También infórmale al operador el "A number", o número de extranjero de su hijo si lo tienes.
- Disponible 24 horas al día, 7 días a la semana, en inglés o español.

Acción 3 - Amigos, familia, empleados de ORR, y su representación legal pueden asistirlo a través de mandando u email a:

- ICE a Parental.Interests@ice.dhs.gov
- ORR a information@ORRNCC.com

PASO 4

- ❖ Usted va a ser transferido a la custodia del ICE después de su audiencia en la corte.
- ❖ Mientras en el cuidado y custodia de ICE:
 - ICE va a trabajar con ORR para designar comunicación fija (vía teléfono y/o video teleconferencia) con sus hijos.
 - ICE dará acceso a materiales de autoayuda legal.