



THE PUBLIC ADVOCATE VOICE

A BIMONTHLY NEWSLETTER



PUBLIC ADVOCATE'S CORNER: 2012 YEAR IN REVIEW

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As 2012 winds down, it is important to reflect on the past year and all the Office of the Public Advocate has achieved over this time. Obviously the creation of this office in February stands as a watershed moment. However, I am excited by everything the Office has achieved since that time. Some examples of this success include participating in more than 100 stakeholder and community events, responding to more than 11,000 phone calls for information on the Deferred Action for Childhood Arrival program, establishing an operational structure and staffing it up with talented personnel from across Enforcement and Removal Operations (ERO) , and contributing to the creation of policies that will enhance ERO the mission.

I am even more excited by the way in which we have been able to pull our community partners into these activities. Without that input, I feel that we would not have been nearly as successful or impactful. For example, the expansion of the Community and Detainee Helpline came as a result of feedback from partners from within ICE as well as from robust participation from outside groups. The result is a critical conduit for ERO to respond in real time to concerns and requests from community members and those in ICE detention.

This edition of the newsletter highlights a number of our other successes in just the past few months, including the expanded Helpline. Each of these is allowing the Office to continue building constructive relationships with the community and helping to resolve problems and concerns. Our recent Office retreat brought in partners from NGOs, religious groups, community advocates, and immigration experts to more effectively manage the myriad of issues that are being managed by the Helpline on a daily basis.

With your help, we have built a tremendous amount of momentum in advancing ERO's commitment to transparency, collaboration, and resolving concerns. I hope to continue building this momentum in the New Year. There are new initiatives already in the works that will come to realization in 2013. We hope to continue dialogues with you, using platforms like this newsletter and community roundtables, to build more trust and positive relationships.

Have a Happy New Year!!

Each team member from the Office looks forward to working with you.

OMBUDSMAN PROFILE: DOROTHY E. HERRERA-NILES, ERO BOSTON

The Field Office Director (FOD) Ombudsman program gives each FOD an opportunity to come to ICE Headquarters for 30 days. During this time, they participate in the daily discussions and decisions of the ERO Executive Associate Director's office as well as give ERO upper management the "field perspective" in policy decisions. The ERO Ombudsman and the Public Advocate compliment each other in their roles regarding policy and operational concerns and therefore coordinate closely on a daily basis.

This month, the PA Voice is highlighting Dorothy "Dottie" E. Herrera-Niles, who spent the month of October 2012 as the ERO FOD Ombudsman. Ms. Herrera-Niles has been a public servant for 24 years and has been the FOD for the ERO Boston Field Office since November 2011. In this capacity, she oversees ERO throughout the New England area. Throughout her career Dottie has been actively involved in community and stakeholder outreach. She sees that working with local and community groups from the field level is critical to her role as FOD, which has also helped her as FOD Ombudsman because it provides that additional perspective on the issues that arise.



"Internal and external communication is the key to success. By working closely with our stakeholders in the community we are able to break down barriers and create a culture of mutual understanding and respect" - ERO Boston Field Office Director Dorothy E. Herrera-Niles

Ms. Herrera-Niles' previous assignments include Assistant Field Office Director and Acting Deputy Field Office Director in Baltimore, Maryland; Unit Chief in Washington, DC; and Acting Field Office Director for the El Paso Field Office. Ms. Herrera-Niles began her government career in 1988 as an Immigration Inspector in San Ysidro, California, for the legacy Immigration and Naturalization Service. She also served as a Supervisory Immigration Inspector; a Journeyman Deportation Officer; Supervisory Deportation Officer; and De-

tention Deportation Officer. Ms. Herrera-Niles graduated from San Diego State University with a Bachelor of Science Degree in Criminal Justice Administration.





UPDATE ON DETENTION REFORM WITH ASSISTANT DIRECTOR KEVIN LANDY

When Mr. Kevin Landy joined the ranks of ICE as the Assistant Director of the Office of Detention Policy and Planning (ODPP) in December 2010, ICE had already taken steps to reform its detention system. His contributions since then have had significant impacts on how ERO determines whether to detain an individual and how to serve their needs while in detention.

Prior to joining ICE, Mr. Landy served for fourteen years on Senator Joseph I. Lieberman's staff on the Committee on Homeland Security and Governmental Affairs, and was the Committee's Chief Counsel from 2007 to 2010. During that time he staffed Senator Lieberman on immigration and border security matters, among other issues. This included drafting immigration detention reform legislation known as the "Secure and Safe Detention and Asylum Act," which sets forth provisions regarding procedures and standards applicable to aliens detained in custody and the conditions of that custody.

Within ICE, ODPP leads ICE's efforts to overhaul the immigration detention system, an effort that Mr. Landy explains requires input and attention from across the immigration community.

"ODPP's work to reform the agency's immigration detention system requires extensive collaboration and consultation with both internal and external stakeholders. Our partners in the NGO community, for example, have provided valuable perspectives that have informed our work on detention standards and our efforts to meet the needs of vulnerable populations," explains Mr. Landy. "Similarly, the development and implementation of our initiatives have depended on the insights and hard work of the leadership and staff at Enforcement and Removal Operations and other entities within ICE. These partnerships will continue to yield substantial progress in detention reform in the years ahead."

When asked about his most significant contributions to detention reform, Mr. Landy replied that his contribution to Risk Classification Assessment Tool (RCA) and the 2011 Performance Based National Standards (PBNS 2011) stand out as the high-water marks to date.

RCA

The RCA improves transparency and uniformity in detention custody and classification decisions while promoting the prioritization of detention resources. It also aids in identifying vulnerable populations and promote the prioritization of detention resources. The assessment is being incorporated into the process ICE officers use when an individual is apprehended. It contains objective criteria and a general scoring system to guide decision-making regarding, whether an alien should be detained or released; if released, the alien's appropriate level of community supervision, and if detained, the alien's appropriate custody classification level.

RCA is being deployed in six phases across the country based on the 24 ERO Field Offices.

- **July 30, 2012**—deployed in Baltimore and Washington Areas of Responsibility (AORs)
- **November 5, 2012**—deployed in El Paso, Philadelphia, and Seattle AORs
- **November 26, 2012**—deployed in Salt Lake City, Denver, and San Antonio AORs

- **December 10, 2012**—scheduled to deploy in Chicago, Los Angeles, and San Francisco AORs
- **January 7, 2013**—scheduled to deploy in Buffalo, Boston, St. Paul, Detroit, San Diego, New York, and Newark AORs
- **January 28, 2013**—scheduled to deploy in New Orleans, Miami, Houston, Atlanta, Phoenix, and Dallas AORs

PBNS 2011

The PBNS 2011 builds on previous updates on the standards that ICE follows when detaining individuals. The detention system was operated under National Detention Standards (NDS) that were established in September 2000. A criticism of these standards was that they were vague and only focused on the confinement conditions, program operations, and the expectations of management. In 2008, ICE developed the first performance based standards known as PBNS 2008 which were designed to improve the safety, security and conditions of confinement for detainees.

In partnership with the Office of the Public Advocate, ODPP looks across the full spectrum of detainee concerns. It has kicked off a number of successful efforts focused on overhauling the current immigration detention system, including, but not limited to:

- The Online Detainee Locator System
- On-Site Detention Compliance Oversight Program
- The Transfer Directive
- The Development of New Civil Detention Facilities
- ICE's Detainee Covered Services Package
- The revised Detainee Covered Services Package
- The Access Policy

PBNS 2011 revised the standards based on input from many agency employees, stakeholders, nongovernmental organizations, and even perspective from Congress. These standards:

- improve medical and mental health care services;
- reinforce protections against sexual abuse and assault;
- maximize access to counsel and legal resources;
- expand access to religious services and opportunities;
- improve communication assistance services for detainees with limited English proficiency or disabilities; and
- enhance procedures for reviewing and responding to detainee grievances.

ODPP is a leader in ICE's efforts to overhaul the immigration detention system

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DETAINEE INTERCULTURAL CENTER — A PLACE FOR SPIRITUAL REFLECTION



The newly-established Detainee Intercultural Center at the U.S. Immigration and Customs Enforcement (ICE) El Paso Processing Center in Texas is a place where men and women in ICE custody can reflect, meditate and worship. The modest 13-by-55 foot structure is part of the existing building.

"The new Detainee Intercultural Center demonstrates ICE's commitment to religious access for all those in our care and custody" said ICE Public Advocate, Andrew Lorenzen-Strait.

In attendance at the dedication ceremony was Father Joseph Molina of Most Holy Trinity Catholic Church in northeast El Paso, who blessed the new center. Leaders of all religious denominations are available at the Detainee Intercultural Center to minister to the spiritual needs of detainees, as well as lead religious services.

The El Paso Processing Center houses immigrant detainees who are awaiting deportation or have pending immigration cases before the El Paso Immigration Court. The facility has space for approximately 840 inmates and an average daily population of 750 adult detainees. Because of the facility's proximity to the border, it sometimes serves as a staging area for ICE to hold immigrants before removal. Detainees at the processing center are awaiting deportation for criminal activity or are being held for entering the country illegally.



"The new Detainee Intercultural Center, not only serves the spiritual needs of people in our custody, but it's part of ICE's larger effort to reform the immigration detention system as a whole" - El Paso FOD Adrian Macias

CDH PHASE 2 AND PUBLIC ADVOCATE CONTACT FORM LAUNCHED

On November 9, 2012, the Office of the Public Advocate (PA) launched phase 2 of its Community and Detainee Helpline (Helpline) and its online Public Advocate Contact Form. Together, these advances in communication with the public will further the goals of Enforcement and Removal Operations (ERO) to ensure transparency, collaboration, and resolution of concerns.

The Helpline can be reached at 1-888-351-4024, 8am-5pm ET, Monday through Friday. During phase 2, detainees from facilities in Washington, Baltimore, Atlanta, Miami, and New Orleans ERO areas of responsibility (AOR) will be able to contact the Helpline from their facility. This expansion of the existing ICE Community Helpline is a joint project between the PA and ERO's Custody Management Division, as part of EROs support of the Public Advocate mission. The Helpline will be available in additional detention facilities in the coming months, with nationwide implementation by the second quarter of fiscal year 2013. Phase 3 of the Helpline rollout will occur on December 14, 2012, in the Philadelphia, Newark, New York, Boston, and San Antonio ERO AORs.



From its inception as the Deferred Action for Childhood Arrivals Hotline, to its transition to a Community Helpline, and now its development into the Community and Detainee Helpline, this initiative demonstrates the agency's commitment to outreach and maintaining open lines of communication with detainees, advocates, attorneys, family members, and other community stakeholders. Since September 28, 2012, the Helpline has received more than 1,800 calls in total.

The Office of the Public Advocate also deployed its Public Advocate Contact Form (Form), which replaces its EROPublicAdvocate@ice.dhs.gov mailbox. To access it, go the Public Advocate page (<http://www.ice.gov/about/offices/enforcement-removal-operations/publicadvocate/>) and click the "Contact the Public Advocate" tab. The Form helps requestors include all pertinent information based on the nature of their inquiry and guides them in determining when an inquiry should be routed to a field office or HQ. Use of this Form will not only aid individuals in submitting clear, detailed requests, but it will also improve the PA's business process of receiving and responding to these requests.

These advances in ICE communications are part of an ongoing effort by this agency to be transparent and responsive to the concerns of those who are impacted most by the important work we do.



NGO PARTNERS AT THE PUBLIC ADVOCATE TEAM RETREAT

On October 25 and 26, 2012, the Public Advocate hosted its first Public Advocate Team Retreat at the DHS Citizenship and Immigration Services Ombudsman's Office in Washington, DC. The Public Advocate Team is comprised of the Senior Public Advocate Staff and a cadre of detailed law enforcement and non-law enforcement personnel from various ERO Components. Also attending were the former Acting Public Advocate Deputies from the Office of Civil Rights and Civil Liberties, and the Philadelphia Public Advocate Field Liaison.

The purpose of the retreat was to allow the Public Advocate Team to engage in team building exercises while learning to share their opinions on how to further develop relationships with ERO Stakeholders, to include local field offices, and non-governmental organizations (NGOs) to meet the Office of the Public Advocate goals.

During the retreat, the Public Advocate Team received an overview of the duties and responsibilities of various ERO components to better fit into the larger ICE mission. External stakeholders were invited to provide team members their perspectives on key immigration enforcement and detention related issues, such as vulnerable populations, legal access, religious services, and detainee concerns.

The training and discussions facilitated by colleagues from ERO Components and NGO's provided the Public Advocate Staff with additional tools and knowledge to effectively and efficiently perform their day-to-day responsibilities to better serve stakeholders.

Key Participants and Relevant Topics Presented at PA Retreat

The Value of Community Partnerships, ERO Executive Associate Director (EAD) Gary Mead

Lessons in Effective Case Management, Debra Rogers, Deputy Director CIS Ombudsman

Working with External Stakeholders, Barbara Gonzalez, ICE Press Secretary; Anna Hinken, U.S. Customs and Border Protection (CBP); and Kate Mills, ICE Office of Congressional Relations

OPLA Perspectives on Detention and Removal Cases, Monica S. Burke, Associate Legal Advisor, Office of the Principal Legal Advisor

Protecting Community Member and Detainee Privacy, Lyn Rahilly and Lauren Berkebile, ICE Privacy Office

Lesbian, Gay, Bisexual, and Transgender (LGBT) Sensitive Training, Harper Jean Tobin, National Center for Transgender Equality and Claire Trickler-McNulty, DHS Office of Civil Rights and Civil Liberties (CRCL)

Anatomy of a Detainee Call: Lessons from the American Bar Association (ABA), Robert Lang, Staff Attorney, and Karen Castillo, Program Assistant ABA

Overview of ICE Health Services Corps (IHSC) and Responding to Medical and/or Mental Health Inquires, Dr. Luzviminda Peredo-Berger, Deputy Assistant Director IHSC

Legal Access in Detention: Perspectives from a Legal Orientation Provider, Kathy Doan, Executive Director, Capital Area Immigrants' Rights Coalition

Victims Issues, Leslye E. Orloff, Director, National Immigrant Women's Advocacy Project

Parental Interests and Family Unity, Emily Butera, Women's Refugee Commission

Language Access, Rebekah Tosado, DHS CRCL

Religious Access in Detention Rev. Joan M. Maruskin, Church World Service

Local Engagement – Tips for Successful ICE Outreach, Kate Kahan, Legislative Director, Center for Community Change

Strategies for Effective Internal Coordination and ERO Field Operations Overview, Leonardo Desanti, Acting Deputy Assistant Director; Dorothy Herrera-Niles, Boston Field Office Director; and Troy Holl, Philadelphia Field Public Advocate Liaison



"Many thanks to the CIS Ombudsman's Office for hosting our retreat and to all of our friends and colleagues who made this a successful retreat!"

~Public Advocate Andrew Lorenzen-Strait



NEW DEPUTY PUBLIC ADVOCATE

The Office of the Public Advocate is pleased to welcome its new Deputy Public Advocate to the team, Michael P. Reid. Mr. Reid is the first permanent Deputy of the office since its inception in February. He brings to this role significant experience in community and stakeholder engagement, strategic planning and communications, and project management.

Prior to this role, Mr. Reid spent more than two years leading a contract team that supported Secure Communities, which included coordinating outreach to law enforcement and community group to more than 3100 counties nationwide and planning for technology deployments to more than 7000 field office personnel. During this time, he gained a unique and in-depth perspective of ERO operations and policy creation. He also has experience supporting a variety of offices within the Department of Homeland Security and across the Federal Executive Branch.



"I am proud to be part of such a dynamic and talented team here in the Office of the Public Advocate. I look forward to building relationships within ICE and with its stakeholders to support the ERO mission."

- Mike Reid, Deputy Public Advocate

Mr. Reid is eager to apply his experience in expanding on the already significant success of the office in the short time it has been in existence. In support of this, he works very closely with office staff to support daily tasks and responsibilities, as well as with the Public Advocate and other senior staff to drive the vision of the office. Some areas where he would like to focus on in the short term include strategic planning for stakeholder engagement and enhancing office capabilities, such as the Community and Detainee Helpline.

Welcome Mike!

UPCOMING ITEMS



The Office of the Public Advocate will host community roundtable discussions in Boston, Massachusetts, on January 14, and Hartford, Connecticut, on January 16. These forums will offer members of both communities the opportunity to communicate their concerns, comments and commendation to field office leadership and the Public Advocate and to ask questions about ICE policy and practices regarding immigration enforcement and detention. Public Advocate Andrew Lorenzen-Strait and members of his staff will also tour two detention facilities during the trip to speak with detainees and facility staff and observe conditions in the facilities.

DID YOU KNOW?

You can find information on our NEW Community and Detainee Helpline (CDH) on the Public Advocate page on ICE.gov at : <http://www.ice.gov/about/offices/enforcement-removal-operations/publicadvocate/>. Helpline fliers are available in [English](#) and [Spanish](#) under the Public Advocate Publications tab—these are the same fliers currently posted in detention facilities where the Helpline is currently available. Also under the Publications tab, you can find and download copies of this newsletter.



THE OFFICE OF THE PUBLIC ADVOCATE

Community Helpline: 1-888-351-4024

EROPublicAdvocate@ice.dhs.gov

<https://www.ice.gov/about/offices/enforcement-removal-operations/publicadvocate/>