Office of Information Governance and Privacy

U.S. Department of Homeland Security
500 12th St., SW
Washington, D.C. 20536

U.S. Immigration and Customs Enforcement

December 10, 2019

Daniel Alexander McGrath
American Oversight
1030 15th Street, NW
Suite B255
Washington, DC 20005

RE: American Oversight v. ICE
ICE FOIA Case Number 2019-ICLI-00054
Final Response

Dear Mr. McGrath:

This letter is the final response to your Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), dated June 26, 2019. You have requested the following records in connection with 3 FOIA requests:

1. 2019-ICFO-29818, requesting, training materials and policies/directives pertaining to the processing/medical evaluation and care for transgender detainees,
2. 2019-ICFO-36401, requesting training materials and policies/directives pertaining to the processing/medical evaluation and care for pregnant detainees, those that miscarried, juveniles and also emails from Albence, Homan and Vitello & their chiefs of staff on related topics, and
3. 2019-ICFO-36404, requesting various categories of information pertaining to IHSC staffing.

ICE has considered your request under the FOIA, 5 U.S.C. § 552. A total of 79 pages of records were reviewed for this final production. The 84 pages of records were located pursuant to a search of the Office of Enforcement and Removal Operations (ERO). These 79 pages of records are attached and have been marked 2019-ICLI-00054 892 to 2019-ICLI-00054 970. Upon review, ICE has determined that portions of the documents will be withheld pursuant to Exemptions b(6), b(7)(C), and b(7)(E) of the FOIA as described below.

ICE has applied FOIA Exemptions 6 and 7(C) to protect from disclosure the names, e-mail addresses, and phone numbers of ICE and DHS employees contained within the documents, as well as the names, and other personally identifiable information of other individuals contained within the records.

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a

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balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

FOIA Exemption 7(C) protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate. As such, I have determined that the privacy interest in the identities of individuals in the records you have requested clearly outweigh any minimal public interest in disclosure of the information. Please note that any private interest you may have in that information does not factor into this determination.

ICE has applied FOIA Exemption (b)(7)(E) to protect from disclosure information compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions when such disclosure could reasonably be expected to risk circumvention of the law.

FOIA Exemption (b)(7)(E) protects records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. I have determined that disclosure of certain law enforcement sensitive information contained within the responsive records could reasonably be expected to risk circumvention of the law. Additionally, the techniques and procedures at issue are not well known to the public.

If you have any questions about this letter, please contact AUSA Diana Valdivia with the United States Attorney's Office at 202 252 2545.

Sincerely,

Dexter E. Johnson/for
Fernando Pineiro Jr
(A) FOIA Officer

Enclosure(s): 79 page(s)

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From: (b)(6); (b)(7)(C) (USBP)
Sent: 23 Feb 2019 17:06:07 +0000
To: Vitiello, Ronald D
Cc: (b)(6); (b)(7)(C); (USBP); (b)(6); (b)(7)(C)
Subject: Re: Stillborn in custody death
Attachments: image001.png

10-4. Thanks. Very sad.

(b)(6); (b)(7)(C)
Deputy Chief
U.S. Border Patrol Headquarters
1300 Pennsylvania Ave. NW
Washington, DC 20229

(915) 401 (b)(6); (b)(7)(C)

Sent from my iPhone

On Feb 23, 2019, at 11:59 AM, Vitiello, Ronald D <(b)(6); (b)(7)(C) @ice.dhs.gov> wrote:

FYSA

From: Vitiello, Ronald D
Sent: Saturday, February 23, 2019 11:58 AM
To: S1KMN <(b)(6); @hq.dhs.gov>; (b)(6); (b)(7)(C) @hq.dhs.gov>; (b)(6); (b)(6); (b)(7)(C); (b)(7)(E); @hq.dhs.gov>; (b)(6); (b)(7)(C) @hq.dhs.gov>; (b)(6); (b)(7)(C) @hq.dhs.gov>; (b)(6); (b)(7)(C) @hq.dhs.gov>; (b)(6); (b)(7)(C) @HQ.DHS.GOV>; (b)(6); (b)(7)(C) @hq.dhs.gov>
Cc: Albence, Matthew <(b)(6); (b)(7)(C) @ice.dhs.gov>; Blank, Thomas (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @cbp.dhs.gov>
Subject: Stillborn in custody death

Madam Secretary,

Unfortunate news from the Port Isabel Detention Center (PIDC) (San Antonio Field Office). RGV AOR. More details will be provided ASAP. A full review will be initiated as per OIG/OPR/ERO protocols.

From San Antonio/RGV/PIDC

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Field Ops/IHSC reports that last night a 6-month pregnant Honduran female during intake went into premature labor and despite IHSC's valiant efforts to save the unresponsive male infant, he was declared dead at a nearby hospital in Harlingen.

Preliminary report is that the female was encountered by BP on 2/18 and at some point thereafter was referred to a hospital at McAllen for a medical evaluation. The hospital cleared her on 2/21 and BP transferred her to ERO custody on 2/22 as an NTA so we could release her on O/R given her condition. It was while she was in the PIDC intake area when the unfortunate series of events occurred.

An ES is forthcoming that we should have later this afternoon.

Preliminary ICE Health Service Corps summary as follows:

- **PIDC ER Referral 2/22/19:** Patient was a new arrival, awaiting to be released in the PIDC process area. Patient begin complaining of abdominal pain and stated she was approximately 6 months pregnant. Patient was taken to PIDC staging urgent care room for further assessment and evaluation. EMS was called as per doctors' orders. Patient went into labor and delivered an unresponsive male infant. CPR was initiated for the infant, once EMS arrived, infant was intubated. Mother was stable, awake and alert, throughout the deliver. Mother and infant where transported to VBMC Harlingen ER.
- **ER Update 2/22/19 @ 2200:** Mother and infant arrived to ER at 1949. Infant was unresponsive upon arrival and no vital signs could be obtained. CPR was continued until 1958 when male infant was pronounced dead. Infant received 7 dose of Epinephrine 0.01 mg by EMS while in route to hospital. While at the ER, during CPR, infant received one dose of Epinephrine 0.01mg. Autopsy has been requested.
  Upon arrival to ER, mother was and remained stable. She was awake, alert and oriented. Patient was transferred to Mother Baby Unit room (b)(6); pending to be seen by the OB/GYN doctor in am.
- **Hospital Admission 2/23/19 @ 0045:** Mother was admitted to hospital with the diagnoses of Stillborn Vaginal Delivery. Patient is awake, alert, oriented and stable at the moment. Patient is pending to be seen by the OB/GYN doctor.

Ronald D. Vitiello
Acting Director
<image001.png>
202 732-(b)(6); (b)(7)(C)
202 465-

AMERICAN OVERSIGHT

From: Blank, Thomas
Sent: 30 Apr 2019 13:33:47 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: 'Asylum Seekers Face New Restraints Under Latest POTUS Orders,' from The New York Times and Washington Post: FYI

Thanks.

Thomas Blank
Chief of Staff
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
202 732-(b)(6)
Cell 202 591-(b)(6)

From: (b)(6); (b)(7)(C)
Sent: Tuesday, April 30, 2019 9:30 AM
To: Blank, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>; Kelly, Christopher S <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: Seguin, Debbie <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: 'Asylum Seekers Face New Restraints Under Latest POTUS Orders,' from The New York Times and Washington Post: FYI

All – One correction below in red; thank you.

V/r,
(b)(6);
Special Advisor
Office of the Director (OD)
U.S. Immigration and Customs Enforcement (ICE)
Desk: 202-732-(b)(6); Mobile: 571-308-(b)(6);

From: (b)(6); (b)(7)(C)
Sent: Tuesday, April 30, 2019 9:00 AM
To: Blank, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>; Kelly, Christopher S <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: Seguin, Debbie <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: 'Asylum Seekers Face New Restraints Under Latest POTUS Orders,' from The New York Times and Washington Post: FYI

All – FYI:

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This New York Times piece and this Washington Post piece highlight POTUS' asylum changes from in a White House memo issued last night (the White House 'Working to Stop the Abuse of Our Asylum System and Address Root Causes of the Border Crisis' Fact Sheet was posted here on WhiteHouse.gov moments ago) tightening asylum restrictions, namely: to charge a fee (TBD) for asylum seekers; to prohibit illegal border crossers from seeking asylum; to clamp down on work permits issued while prospective asylees await their cases be adjudicated; and, for IJs to adjudicate asylum cases (currently among the total immigration case backlog of ~850K with EOIR) within 180 days (currently such cases can take on average of up to two years).

The memo gives DHS and DOJ 90 days to promulgate new rules to execute the above changes.

Thanks.

V/r,
(b)(6);
Special Advisor
Office of the Director (OD)
U.S. Immigration and Customs Enforcement (ICE)
Desk: 202-732-(b)(6); Mobile: 571-308-(b)(6);

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From: Blank, Thomas
Sent: 15 Nov 2018 18:36:09 +0000
To: (b)(6); (b)(7)(C)
Cc:
Subject: RE: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

Did you check with DHS ES. I feel like I just saw a letter to Harris with a multi-page attachment on pregnancy issues. Not sure is if it was for S1 or AD1 to sign.

Thomas Blank
Chief of Staff
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
202 732-(b)(6);
Cell 202 591-(b)(6);

From: (b)(6); (b)(7)(C)
Sent: Thursday, November 15, 2018 1:24 PM
To: Blank, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: (b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: FW: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

Tom,

As requested. Attached pertains to Sen K. Harris' questions regarding pregnant Detainees.

This was worked and coordinated with the SAG and not through the ES channels.

There are no QFR's or other congressional correspondence pending ICE response re: pregnant detainees.

(b)(6); (b)(7)(C)
Executive Secretary
U.S. Immigration and Customs Enforcement
202.732.(b)(6);(o)
202.841.(c)

From: Blank, Thomas
Sent: Monday, July 16, 2018 6:27 PM
To: (b)(6); (b)(7)(C)@hq.dhs.gov>
Cc: Short, Tracy <(b)(6);@hq.dhs.gov>; (b)(6); (b)(7)(C)@hq.dhs.gov>; (b)(6); (b)(7)(C)
<(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)

AMERICAN OVERSIGHT

(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

Here you go. ICE ES please send up your chain as well.

Thomas Blank
Chief of Staff
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
202 732-(b)(6);
Cell 202 59(b)(6);

From: (b)(6); (b)(7)(C)
Sent: Monday, July 16, 2018 5:06 PM
To: Blank, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Short, Tracy <(b)(6); @hq.dhs.gov>; (b)(6); (b)(7)(C) @hq.dhs.gov>
Subject: RE: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

Tom,
I still have not received anything from you or your team. Please let me know the ETA so we can begin working on a final version for COS.

Thanks,
(b)(6);

(b)(6); (b)(7)(C)
Senior Advisor
Office of the Executive Secretary
U.S. Department of Homeland Security
M: 202.734(b)(6);
O: 202.447(b)(7)(C)

From: Blank, Thomas (b)(6); (b)(7)(C) @ice.dhs.gov>
Sent: Sunday, July 15, 2018 12:49 PM
To: (b)(6); (b)(7)(C) s@hq.dhs.gov>; Wolf, Chad <(b)(6); @hq.dhs.gov>
Cc: Short, Tracy <(b)(6); @hq.dhs.gov>; (b)(6); (b)(7)(C) @hq.dhs.gov>
Subject: RE: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

On it with ERO.

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6); (b)(7)(C)
Date: Sunday, Jul 15, 2018, 12:43 PM

AMERICAN OVERSIGHT

To: Wolf, Chad <(b)(6); (b)(7)(C)
Cc: Blank, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>, Short, Tracy (b)(6); (b)(7)(C) @hq.dhs.gov>, (b)(6); (b)(6); @hq.dhs.gov>
Subject: Re: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

COS - Will do.

Tom - if you can share with me what ICE currently has, we can begin thinking about format and any additional information to add.

(b)(6); (b)(7)(C)

—

(b)(6); (b)(7)(C)
Senior Advisor
Office of the Executive Secretary
U.S. Department of Homeland Security
M: 202.734 (b)(6);
E (b)(6); (b)(7)(C)

On Jul 15, 2018, at 12:05 PM, Wolf, Chad <(b)(6); @hq.dhs.gov> wrote:

(b)(5)

Copying (b)(6); (b)(7)(C) – standing up Secretary's Action Group (SAG) and can work to format, etc.

Chad F. Wolf
Chief of Staff
Department of Homeland Security
T: 202-447 (b)(6);
C: 202-875 (b)(7)(
Email: (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: Friday, July 13, 2018 8:30 PM
Subject: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women
CBS
July 13, 2018 at 4:50 pm
https://sanfrancisco.cbslocal.com/2018/07/13/senator-kamala-harris-calls-for-investigation-into-ice-treatment-of-pregnant-women/

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RICHMOND (CBS SF) — U.S. Sen. Kamala Harris, D-California, and three of her Senate colleagues wrote a letter Friday calling on the Department of Homeland Security's Office of Inspector General to investigate the detention of pregnant women in U.S. Immigration and Customs Enforcement facilities.

The letter was addressed by Harris and fellow senators Tom Carper, Maggie Hassan and Patty Murray to Inspector General John V. Kelly in the wake of news reports scrutinizing the treatment of pregnant women in the centers.

"Detention is a profoundly traumatic experience for anyone and especially so for pregnant women," the senators wrote. "Detention can frequently lead to extreme stress, depression and severe health complications for both a pregnant woman and her child.

"Pregnant women have repeatedly described the fear, uncertainty and exhaustion they experience as a result of being detained."

Last month, Harris toured the Otay Mesa Immigration and Detention Facility in California, where she met with mothers who have been separated from their children. She also introduced the DONE act, with Rep. Pramila Jayapal, D-Washington, to stop the expansion of ICE detention facilities and ensure better oversight of the facilities.

Contra Costa County Sheriff David Livingston announced plans this week to end a contract with U.S. Immigration and Customs Enforcement and the U.S. Marshals Service that allowed ICE to house detainees at the West County Detention Facility in Richmond.

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From: Asher, Nathalie R
Sent: 24 Feb 2019 03:31:11 +0000
To: Albence, Matthew;Blank, Thomas;Picard, Vincent M
Cc: Marin, David A;Elzea, Jennifer;Jennings, David W;(b)(6); (b)(7)(C);(b)(6); (b)(7)(C)S;#ERO CHIEFS OF STAFF;(b)(6); (b)(7)(C)
Subject: RE: FLAGGING: pregnant women at Port Isabel
Attachments: ES - ERO SNA (b)(6); (b)(7)(C)

Good Evening All,

Pardon the delay; please find attached the E/S for the Honduran female who prematurely delivered a stillborn infant while in ICE custody yesterday evening. Given the short time in ICE custody, there was very little information to provide from ERO perspective as the case was a very recent transfer from USBP that was to be a next day release given the alien's advanced pregnancy stage. This should hopefully cover what OPA needs in the joint response with CBP as well.

Let us know if you need anything further.
NRA

From: Blank, Thomas
Sent: Saturday, February 23, 2019 2:31 PM
To: Picard, Vincent M <(b)(6); (b)(7)(C)@ice.dhs.gov>;(b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)@ice.dhs.gov>; #ERO CHIEFS OF STAFF <EROCHIEFSOFSTAFF@ice.dhs.gov>
Cc: Marin, David A <(b)(6); (b)(7)(C)@ice.dhs.gov>; Elzea, Jennifer <(b)(6); (b)(7)(C)@ice.dhs.gov>; Jennings, David W <(b)(6); (b)(7)(C)@ice.dhs.gov>;(b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)@ice.dhs.gov>;(b)(6); (b)(7)(C)(b)(6); (b)(7)(C)@ice.dhs.gov>; Asher, Nathalie R <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: FLAGGING: pregnant women at Port Isabel

Let's see the draft and go from there.

Sent with BlackBerry Work
(www.blackberry.com)

From: Picard, Vincent M <(b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Saturday, Feb 23, 2019, 2:02 PM
To: Hinojosa, Clemente <(b)(6); (b)(7)(C)@ice.dhs.gov>, #ERO CHIEFS OF STAFF <EROCHIEFSOFSTAFF@ice.dhs.gov>
Cc: Marin, David A <(b)(6); (b)(7)(C)ice.dhs.gov>, Elzea, Jennifer <(b)(6); (b)(7)(C)@ice.dhs.gov>, Jennings, David W <(b)(6); (b)(7)(C)@ice.dhs.gov>, Blank, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>,(b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)@ice.dhs.gov>,(b)(6); (b)(7)(C)(b)(6); (b)(7)(C)@ice.dhs.gov>, Asher, Nathalie R <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: FLAGGING: pregnant women at Port Isabel

CBP would like to do a joint notice since the incident occurred soon after they transferred custody.

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I think (b)(5)
(b)(5)

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Saturday, Feb 23, 2019, 10:48 AM
To: Picard, Vincent M <(b)(6); (b)(7)(C) @ice.dhs.gov>, #ERO CHIEFS OF STAFF <EROCHIEFSOFSTAFF@ice.dhs.gov>
Cc: Marin, David A <(b)(6); (b)(7)(C) @ice.dhs.gov>, Elzea, Jennifer <(b)(6); (b)(7)(C) @ice.dhs.gov>, Jennings, David W <(b)(6); (b)(7)(C) s@ice.dhs.gov>
Subject: RE: FLAGGING: pregnant women at Port Isabel

We are working it now and will let you know when we get the final version for release.

Regards,

(b)(6); (b)(7)(C)

From: Picard, Vincent M <(b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Saturday, Feb 23, 2019, 10:47
To: #ERO CHIEFS OF STAFF <EROCHIEFSOFSTAFF@ice.dhs.gov>
Cc: Marin, David A <(b)(6); (b)(7)(C) @ice.dhs.gov>, Elzea, Jennifer <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: FW: FLAGGING: pregnant women at Port Isabel

Would appreciate it if you could keep us looped in on this one.

Thanks,

Vinnie

Sent with BlackBerry Work
(www.blackberry.com)

From: Elzea, Jennifer <(b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Saturday, Feb 23, 2019, 9:47 AM
To: Picard, Vincent M <(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Rodriguez, Sarah <(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) y@ice.dhs.gov>
Subject: FLAGGING: pregnant women at Port Isabel

Good morning,

I just got the following flag from (b)(6); (b)(7)(C)

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(b)(6); just called to report that a pregnant woman was taken into ICE custody from BP at Port Isabel last night. During intake, she went into labor and tragically the baby died. No other details available at the moment.

—

(b)(5)

Jenn

Jennifer D. Elzea
Press Secretary
U.S. Immigration and Customs Enforcement
Mobile: 202-595-(b)(6);

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From: Picard, Vincent M
Sent: 25 Feb 2019 19:21:52 +0000
To: Albence, Matthew;Blank, Thomas
Subject: RE: HOT ISSUE: Stillbirth at PIDC

10-4, thanks. We will flip it back to CBP and proceed with our notification schedule.

From: Albence, Matthew
Sent: Monday, February 25, 2019 2:21 PM
To: Picard, Vincent M <(b)(6); (b)(7)(C) @ice.dhs.gov>; Blank, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: HOT ISSUE: Stillbirth at PIDC

I'm fine w/it.

From: Picard, Vincent M
Sent: Monday, February 25, 2019 2:21 PM
To: Blank, Thomas <(b)(6); (b)(7)(C) k@ice.dhs.gov>; Albence, Matthew <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: FW: HOT ISSUE: Stillbirth at PIDC

Are we good to move forward with this?

From: Rodriguez, Sarah
Sent: Monday, February 25, 2019 2:18 PM
To: Picard, Vincent M <(b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Elzea, Jennifer <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: FW: HOT ISSUE: Stillbirth at PIDC

FO??

Sarah Rodriguez
Deputy Press Secretary
U.S. Immigration and Customs Enforcement

From (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Monday, Feb 25, 2019, 2:11 PM
To: Rodriguez, Sarah <(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>, Picard, Vincent M (b)(6); (b)(7)(C) @ice.dhs.gov>, #ICE OPA ERO Issue Paper <ICEOPAEROIssuePaper@ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Blank, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>, Albence, Matthew <(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: HOT ISSUE: Stillbirth at PIDC

Struck t (b)(5) **This is clear for ERO.**

DRAFT STATEMENT:

AMERICAN OVERSIGHT

(b)(5)

ent

),
en

and
vas

ICE

From: Rodriguez, Sarah
Sent: Monday, February 25, 2019 1:59 PM
To: (b)(6); (b)(7)(C) @ice.dhs.gov>; Picard, Vincent M (b)(6); (b)(7)(C) #ICE OPA ERO Issue Paper <(b)(6); (b)(7)(C) @ice.dhs.gov>; Bible, Daniel (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Blank, Thomas (b)(6); (b)(7)(C) >; Albence, Matthew (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) y@ice.dhs.gov>; (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: HOT ISSUE: Stillbirth at PIDC

With all edits incorporated, it now reads as below. Now awaiting word from ERO.

DRAFT STATEMENT:

(b)(5)

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(b)(5)

(b)(6); (b)(7)(C)
Deputy Press Secretary
Office of Public Affairs
o: 202.732
m: 202.48

From: (b)(6); (b)(7)(C)
Sent: Monday, February 25, 2019 1:56 PM
To: Rodriguez, Sarah <(b)(6); (b)(7)(C)@ice.dhs.gov>; Picard, Vincent M (b)(6); (b)(7)(C)@ice.dhs.gov>; #ICE OPA ERO Issue Paper <ICEOPAEROIssuePaper@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>(b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: Blank, Thomas (b)(6); (b)(7)(C) Albence, Matthew <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: HOT ISSUE: Stillbirth at PIDC

(b)(6);

I assume (b)(5)
(b)(5)

AMERICAN OVERSIGHT

(b)(6); (b)(7)(C)
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732-(b)(6);
Iphone: 202-500-(b)(6);
(b)(6); (b)(7)(C)

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---
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From: Rodriguez, Sarah <(b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Monday, Feb 25, 2019, 1:51 PM
To: Picard, Vincent M (b)(6); (b)(7)(C), #ICE OPA ERO Issue Paper <ICEOPAEROIssuePaper@ice.dhs.gov>, Bible, Daniel <(b)(6); (b)(7)(C)@ice.dhs.gov>, (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: Blank, Thomas (b)(6); (b)(7)(C), Albence, Matthew (b)(6); (b)(7)(C),
(b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@ice.dhs.gov>, (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: HOT ISSUE: Stillbirth at PIDC

Thank you for that update. We're still waiting on OPLA and ERO FO.

Sarah Rodriguez
Deputy Press Secretary
U.S. Immigration and Customs Enforcement

From: Picard, Vincent M <(b)(6); (b)(7)(C)>
Date: Monday, Feb 25, 2019, 1:48 PM
To: Rodriguez, Sarah <(b)(6); (b)(7)(C)@ice.dhs.gov>, #ICE OPA ERO Issue Paper
(b)(6); (b)(7)(C)@ice.dhs.gov>, Bible, Daniel <(b)(6); (b)(7)(C)@ice.dhs.gov>, (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: Blank, Thomas <(b)(6); (b)(7)(C), Albence, Matthew <(b)(6); (b)(7)(C)@ice.dhs.gov>,
(b)(6); (b)(7)(C) (b)(6); (b)(7)(C), (b)(6); (b)(7)(C)
<(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: HOT ISSUE: Stillbirth at PIDC

CBP has requested that (b)(5)

AMERICAN OVERSIGHT

(b)(5)

Otherwise, this is clear for CBP and DHS.

From: Rodriguez, Sarah
Sent: Monday, February 25, 2019 1:11 PM
To: #ICE OPA ERO Issue Paper <(b)(6); (b)(7)(C)@ice.dhs.gov>; Bible, Daniel (b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: HOT ISSUE: Stillbirth at PIDC
Importance: High

OPA ISSUE: ICE OPA recommends the following statement be cleared regarding the stillbirth at PIDC on Friday night. We've cleared the below with IHSC and COS S(b)(6);

In addition to ERO, we need affirmative clearance from OPLA before proceeding.

Our proposed timeline for the release of information is as follows:

(b)(5)

DRAFT STATEMENT:

(b)(5)

AMERICAN OVERSIGHT

(b)(5)

Thanks,
Sarah

Sarah Rodriguez
Deputy Press Secretary
U.S. Immigration and Customs Enforcement
(b)(6); (b)(7)(C)
o: 202.732
m: 202.48(b)(6); (b)(7)(C)

AMERICAN OVERSIGHT

From: Vitiello, Ronald D
Sent: 21 Dec 2018 19:50:27 +0000
To: Blank, Thomas
Subject: RE: OPA: WSJ on updating detention facility standards

Approved, Thanks

Ronald D. Vitiello
Acting Director
U.S. Immigration and Customs Enforcement
202 732-(b)(6); (b)(7)(C)
202 465-

From: Blank, Thomas
Sent: Friday, December 21, 2018 2:44 PM
To: Vitiello, Ronald D (b)(6); (b)(7)(C)
Subject: FW: OPA: WSJ on updating detention facility standards

Ron:

I recommend (b)(5)
(b)(5)

Tom

Thomas Blank
Chief of Staff
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
202 732(b)(6);
Cell 202 591(b)(6);

From (b)(6); (b)(7)(C)
Sent: Friday, December 21, 2018 2:39 PM
To: Blank, Thoma(b)(6); (b)(7)(C)
Subject: RE: OPA: WSJ on updating detention facility standards

Tom –

Following is a draft statement to be used for further inquiries. (b)(6); (b)(7) is good with it, let me know your thoughts.

AMERICAN OVERSIGHT

(b)(5)

From: Blank, Thomas
Sent: Friday, December 21, 2018 8:35 AM
To: (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: OPA: WSJ on updating detention facility standards

(b)(5)

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Friday, Dec 21, 2018, 8:00 AM
To: Blank, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: FW: OPA: WSJ on updating detention facility standards

From: (b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Wednesday, Dec 19, 2018, 6:11 PM
To: Bennett, Danielle <(b)(6); (b)(7)(C) @ice.dhs.gov>, #ICE OPA ERO Issue Paper (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Trickler-McNulty, Claire <(b)(6); (b)(7)(C) @ice.dhs.gov>, Johnson, Tae D (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>, #ERO CHIEFS OF STAFF <EROCHIEFSOFSTAFF@ice.dhs.gov>, Marin, David A <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: OPA: WSJ on updating detention facility standards

Good evening,

Clear for ERO.

Thank you,

AMERICAN OVERSIGHT

(b)(6); (b)(7)(C)
Staff Officer-Office of Executive Associate Director
ICE-Enforcement and Removal Operations
500 12th Street, SW
Washington, D.C. 20536
202-73(b)(6); (b)(7)(C) desk
214-42 cell

From: Bennett, Danielle <(b)(6); (b)(7)(C) ice.dhs.gov>
Date: Wednesday, Dec 19, 2018, 5:21 PM
To: #ICE OPA ERO Issue Paper (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Trickler-McNulty, Claire <(b)(6); (b)(7)(C) , Johnson, Tae D (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: OPA: WSJ on updating detention facility standards

Issue: *Wall Street Journal* reporter Heidi Vogt has submitted a list of questions about ICE's revised detention standards. Reporter is on deadline for today.

The following responses were prepared by Claire Trickler-McNulty in CMD:

Statement

(b)(5)

Q: When does ICE expect to release the revised standards? How far along in the process are you?

(b)(5)

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(b)(5)

Q: Which facilities will the new standards apply to? All current non-dedicated facilities that house detainees more than 7 days? Only new facilities and/or new contracts with existing facilities? Will facilities currently under PBNDS standards be asked to use these new standards?

(b)(5)

Q: How many non-dedicated facilities that detain people more than seven days are there? (The ICE spreadsheet only breaks out facilities that detain people more than 72 hours.)

(b)(5)

Q: Which standards are being used to develop this revision? Is it based off of the PBNDS standards or the NDS standards?

(b)(5)

Q: A House report said ICE told them that the standards would be a "subset" of the 2011 PBNDS standards? Is this correct? If so, what does "subset" mean in this case?

(b)(5)

Requirements, and Appendix C: Definitions.

Q: Why the need for revised standards?

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(b)(5)

Q: Do these standards reduce or eliminate prior standards? If so, why?

(b)(5)

Q: Regarding contents of the revision, can you comment on: the removal of language saying pregnant women cannot be shackled during delivery and that a medical professional needs to approval restraints; removal of language regarding children's visits to detained parents; removal of language saying non-violent detainees should not be held together with violent offenders; limiting the number of letters the government will pay for indigent detainees

(b)(5)

AMERICAN OVERSIGHT

From: Blank, Thomas
Sent: 23 Feb 2019 16:48:55 +0000
To: Vitiello, Ronald D;Albence, Matthew
Cc: (b)(6); (b)(7)(C)
Subject: RE: Premature Birth at Port Isabel (PIDC)

Confirmed that DHS OPA has a heads up by no details.

Sent with BlackBerry Work
(www.blackberry.com)

From: Vitiello, Ronald D <(b)(6); (b)(7)(C)
Date: Saturday, Feb 23, 2019, 11:47 AM
To: Blank, Thomas (b)(6); (b)(7)(C), Albence, Matthew
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)>
Subject: RE: Premature Birth at Port Isabel (PIDC)

I will send, Thanks

From: Blank, Thomas
Sent: Saturday, February 23, 2019 11:41 AM
To: Albence, Matthew (b)(6); (b)(7)(C); Vitiello, Ronald D
(b)(6); (b)(7)(C)
Cc: Murphy, Matthew R <(b)(6); (b)(7)(C)
Subject: RE: Premature Birth at Port Isabel (PIDC)

Ron

(b)(5)

Tom

Sent with BlackBerry Work
(www.blackberry.com)

From: Albence, Matthew <(b)(6); (b)(7)(C)
Date: Saturday, Feb 23, 2019, 11:33 AM
To: Vitiello, Ronald D (b)(6); (b)(7)(C)
Cc: Blank, Thomas <(b)(6); (b)(7)(C) (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Subject: FW: Premature Birth at Port Isabel (PIDC)

Ron:

AMERICAN OVERSIGHT

Sad news out of ERO. Full ES forthcoming later today. All efforts were made to save the baby but unfortunately were unsuccessful.

From: Asher, Nathalie R
Sent: Saturday, February 23, 2019 11:22 AM
To: Albence, Matthew <(b)(6); (b)(7)(C)>
Cc: (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: Premature Birth at Port Isabel (PIDC)

(b)(6); (b)(7)(C)

From San Antonio/RGV/PIDC

Field Ops/IHSC reports that last night a 6-month pregnant Honduran female during intake went into premature labor and despite IHSC's valiant efforts to save the unresponsive male infant, he was declared dead at a nearby hospital in Harlingen.

Preliminary report is that the female was encountered by BP on 2/18 and at some point thereafter was referred to a hospital at McAllen for a medical evaluation. The hospital cleared her on 2/21 and BP transferred her to ERO custody on 2/22 as an NTA so we could release her on O/R given her condition. It was while she was in the PIDC intake area when the unfortunate series of events occurred.

An ES is forthcoming that we should have later this afternoon.

Preliminary IHSC summary as follows:

- **PIDC ER Referral 2/22/19:** Patient was a new arrival, awaiting to be released in the PIDC process area. Patient begin complaining of abdominal pain and stated she was approximately 6 months pregnant. Patient was taken to PIDC staging urgent care room for further assessment and evaluation. EMS was called as per doctors' orders. Patient went into labor and delivered an unresponsive male infant. CPR was initiated for the infant, once EMS arrived, infant was intubated. Mother was stable, awake and alert, throughout the deliver. Mother and infant where transported to VBMC Harlingen ER.
- **ER Update 2/22/19 @ 2200:** Mother and infant arrived to ER at 1949. Infant was unresponsive upon arrival and no vital signs could be obtained. CPR was continued until 1958 when male infant was pronounced dead. Infant received 7 dose of Epinephrine 0.01 mg by EMS while in route to hospital. While at the ER, during CPR, infant received one dose of Epinephrine 0.01mg. Autopsy has been requested.

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Upon arrival to ER, mother was and remained stable. She was awake, alert and oriented. Patient was transferred to Mother Baby Unit room 3309, pending to be seen by the OB/GYN doctor in am.

- **Hospital Admission 2/23/19 @ 0045:** Mother was admitted to hospital with the diagnoses of Stillborn Vaginal Delivery. Patient is awake, alert, oriented and stable at the moment. Patient is pending to be seen by the OB/GYN doctor.

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From: Blank, Thomas
Sent: 2 Mar 2019 02:37:30 +0000
To: Vitiello, Ronald D
Subject: RE: S1 Hearing Prep Get-backs

Ron

She was admitted before the stillborn birth according to ERO. The ES may (b)(5)
(b)(5)

Tom

Sent with BlackBerry Work
(www.blackberry.com)

From: Vitiello, Ronald D <(b)(6); (b)(7)(C)>
Date: Friday, Mar 01, 2019, 9:31 PM
To: Blank, Thomas (b)(6); (b)(7)(C)
Subject: RE: S1 Hearing Prep Get-backs

Thanks

Sent with BlackBerry Work
(www.blackberry.com)

From: Blank, Thomas (b)(6); (b)(7)(C)
Date: Friday, Mar 01, 2019, 9:20 PM
To: Vitiello, Ronald D (b)(6); (b)(7)(C)>
Subject: RE: S1 Hearing Prep Get-backs

Checking.

Sent with BlackBerry Work
(www.blackberry.com)

From: Vitiello, Ronald (b)(6); (b)(7)(C)
Date: Friday, Mar 01, 2019, 9:00 PM
To: Blank, Thomas (b)(6); (b)(7)(C)
Subject: RE: S1 Hearing Prep Get-backs

Thanks Tom,

Was the Honduran admitted after the stillborn in Dilley or delivery at the hospital?

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Sent with BlackBerry Work
(www.blackberry.com)

From: Blank, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Friday, Mar 01, 2019, 8:51 PM
To: Vitiello, Ronald D <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: FW: S1 Hearing Prep Get-backs

Ron

We got the formal tasking on the issues you mentioned to me after the S1 prep. Below is what Ivwill send forward after you review.

Let me know why questions you have.

Tom

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Friday, Mar 01, 2019, 8:45 PM
To: Blank, Thomas (b)(6); (b)(7)(C)>
Cc: (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)@ice.dhs.gov>, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: S1 Hearing Prep Get-backs

Tom - pls see below. Thx

There has been one known additional stillbirth* besides the one that occurred last week.

- Honduran national who was apprehended by USBP at/near El Paso, TX on 08/03/18 and transferred to ICE custody at Dilley.
    - She was admitted to a local hospital on 08/07/18. She was released on OR on 08/23/18 after being medically cleared.

**Note: A stillbirth is not considered an in-custody death.*

Miscarriages**

- In FY 2017, 10 women experienced a miscarriage just prior to, or while in, ICE custody.
- In FY 2018, 19 women experienced a miscarriage just prior to, or while in, ICE custody.
- In FY 2019, as of Feb. 5, 2019, five women have experienced a miscarriage just prior to, or while in, ICE custody.

***Notes: Most miscarriages happen very early in the pregnancy, often before a woman knows she is pregnant. Because ICE policy requires urinalysis testing for all females of reproductive age entering ICE custody, such testing is likely to pick up some early pregnancies and miscarriages*

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that may have been previously unknown to an individual. According to the American College of Obstetricians and Gynecologists, approximately 10 percent of pregnancies end in miscarriage. There are myriad reasons why miscarriages may occur, including, but not limited to, genetic problems with the fetus, problems with the uterus or cervix, chronic diseases, or external factors such as physical trauma. Generally, with limited insight into a pregnant detainee's medical history, ICE is unable to determine what caused a given miscarriage, and cannot confirm whether a miscarriage began before or after an individual entered ICE custody. Please also note that this information is based on information collected for medical, rather than statistical reporting purposes. While ICE has sought to provide the most accurate information available, data may be subject to manual-entry errors.

Sent with BlackBerry Work
(www.blackberry.com)

From: Blank, Thoma (b)(6); (b)(7)(C)
Date: Friday, Mar 01, 2019, 17:32
To: (b)(6); (b)(7)(C)
Subject: FW: S1 Hearing Prep Get-backs

(b)(6);
(b)(7)(C)

I have the ES on the most recent stillborn. (b)(5) Can we get these other numbers.

Tom

Thomas Blank
Chief of Staff
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
202 732 (b)(6);
Cell 202 591 (b)(6);

From: (b)(6); (b)(7)(C) @hq.dhs.gov>
Sent: Friday, March 1, 2019 5:22 PM
To: Picard, Vincent M (b)(6); (b)(7)(C); (b)(6); (b)(7)(C); (b)(6); (b)(7)(C); Blank, Thomas (b)(6); (b)(7)(C)
Cc: S1 Action Group (b)(6); (b)(7)(C)
Subject: S1 Hearing Prep Get-backs

Good afternoon,

(b)(5)

AMERICAN OVERSIGHT

(b)(5)

Thanks,

(b)(6);

(b)(6); (b)(7)(C)

Deputy Director
Secretary's Action Group
U.S. Department of Homeland Security
Cell: 202-76(b)(6);
(b)(6); (b)(7)(C)

Secretary's Action Group

With honor and integrity, we will safeguard the American people, our homeland, and our values.

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Homeland Security

AMERICAN OVERSIGHT

From: Picard, Vincent M
Sent: 25 Feb 2019 18:12:50 +0000
To: Blank, Thomas;Albence, Matthew
Cc: (b)(6); (b)(7)(C)
Subject: FW: HOT ISSUE: Stillbirth at PIDC
Importance: High

We've already cleared with IHSC/ERO Front Office/OPLA – I'm sending to CBP and DHS now.

From: Rodriguez, Sarah
Sent: Monday, February 25, 2019 1:11 PM
To: #ICE OPA ERO Issue Paper <ICEOPAEROIssuePaper@ice.dhs.gov>; Bible, Daniel (b)(6); (b)(7)(C)
Subject: HOT ISSUE: Stillbirth at PIDC
Importance: High

OPA ISSUE: ICE OPA recommends the following statement be cleared regarding the stillbirth at PIDC on Friday night. We've cleared the below with IHSC and COS Simon.

In addition to ERO, we need affirmative clearance from OPLA before proceeding.

Our proposed timeline for the release of information is as follows:

(b)(5)

DRAFT STATEMENT:

(b)(5)

AMERICAN OVERSIGHT

(b)(5)

Thanks,
Sarah

Sarah Rodriguez
Deputy Press Secretary
U.S. Immigration and Customs Enforcement
(b)(6); (b)(7)(C)
o: 202.73(b)(6); (b)(7)(C)
m: 202.48

AMERICAN OVERSIGHT

From: Blank, Thomas
Sent: 21 Dec 2018 14:34:37 +0000
To: Vitiello, Ronald D
Subject: FW: OPA: WSJ on updating detention facility standards

Ron:

In case (b)(6 didn't send you the WSJ response package, please see below. We are setting a meeting for 10:30 am.

Tom

Thomas Blank
Chief of Staff
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
202 732-(b)(6);
Cell 202 591-(b)(6); (b)(7)(C

From: Johnson, Liz
Sent: Friday, December 21, 2018 8:00 AM
To: Blank, Thomas (b)(6); (b)(7)(C)
Subject: FW: OPA: WSJ on updating detention facility standards

From (b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Wednesday, Dec 19, 2018, 6:11 PM
To: Bennett, Danielle <(b)(6); (b)(7)(C) @ice.dhs.gov>, #ICE OPA ERO Issue Paper <ICEOPAEROIssuePaper@ice.dhs.gov>
Cc: Trickler-McNulty, Claire <(b)(6); (b)(7)(C) @ice.dhs.gov>, Johnson, Tae D (b)(6); (b)(7)(C) @ice.dhs.gov>, A (b)(6); (b)(7)(C) @ice.dhs.gov>, #ERO CHIEFS OF STAFF <EROCHIEFSOFSTAFF@ice.dhs.gov>, Marin, David A <(b)(6); (b)(7)(C) ice.dhs.gov>
Subject: RE: OPA: WSJ on updating detention facility standards

Good evening,

Clear for ERO.

Thank you,

(b)(6); (b)(7)(C)
Staff Officer-Office of Executive Associate Director
ICE-Enforcement and Removal Operations
500 12th Street, SW

AMERICAN OVERSIGHT

Washington, D.C. 20536
202-732-(b)(6); (b)(7)(C) desk
214-422-(b)(6); (b)(7)(C) cell

From: (b)(6); (b)(7)(C)
Date: Wednesday, Dec 19, 2018, 5:21 PM
To: (b)(6); (b)(7)(C)
Cc: Johnson, Tae D
(b)(6); (b)(7)(C)
Subject: OPA: WSJ on updating detention facility standards

Issue: *Wall Street Journal* reporter Heidi Vogt has submitted a list of questions about ICE's revised detention standards. Reporter is on deadline for today.

The following responses were prepared by Claire Trickler-McNulty in CMD:

Statement

(b)(5)

Q: When does ICE expect to release the revised standards? How far along in the process are you?

(b)(5)

Q: Which facilities will the new standards apply to? All current non-dedicated facilities that house detainees more than 7 days? Only new facilities and/or new contracts with

AMERICAN OVERSIGHT

existing facilities? Will facilities currently under PBNDS standards be asked to use these new standards?

(b)(5)

Q: How many non-dedicated facilities that detain people more than seven days are there? (The ICE spreadsheet only breaks out facilities that detain people more than 72 hours.)

(b)(5)

Q: Which standards are being used to develop this revision? Is it based off of the PBNDS standards or the NDS standards?

(b)(5)

Q: A House report said ICE told them that the standards would be a "subset" of the 2011 PBNDS standards? Is this correct? If so, what does "subset" mean in this case?

(b)(5)

Q: Why the need for revised standards?

(b)(5)

AMERICAN OVERSIGHT

(b)(5)

Q: Do these standards reduce or eliminate prior standards? If so, why?

(b)(5)

Q: Regarding contents of the revision, can you comment on: the removal of language saying pregnant women cannot be shackled during delivery and that a medical professional needs to approval restraints; removal of language regarding children's visits to detained parents; removal of language saying non-violent detainees should not be held together with violent offenders; limiting the number of letters the government will pay for indigent detainees

(b)(5)

AMERICAN OVERSIGHT

From: Blank, Thomas
Sent: 22 Jul 2018 20:04:58 +0000
To: Albence, Matthew;Asher, Nathalie R;#ERO CHIEFS OF STAFF(b)(5)
(b)(6); (b)(7)(C)
Subject: FW: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

Good afternoon.

Some additional pregnancy questions. We likely need this done tomorrow morning about 9 or 10.

Thanks

Tom

Sent with BlackBerry Work
(www.blackberry.com)

From:(b)(5) (b)(5) s@hq.dhs.gov>
Date: Sunday, Jul 22, 2018, 3:27 PM
To: Blank, Thomas (b)(6); (b)(7)(C)
Cc: (b)(5) @ice.dhs.gov>, (b)(5)
(b)(5) @ice.dhs.gov>, (b)(5) @ice.dhs.gov>, S1 Action Group (b)(5) @hq.dhs.gov>
Subject: RE: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

Hi Tom,

I received a few additional questions/requests from COS on this topic:

1. (b)(5)
2.
3.

Please send this information, along with the responses to earlier questions, to SAG (b)(6); (b)(7)(C) and we will include it with other revisions to the 1-pager.

Thank you,

(b)(6);
(b)(7)(C)

From: Blank, Thoma (b)(6); (b)(7)(C)
Sent: Saturday, July 21, 2018 4:20 PM
To (b)(6); (b)(7)(C)

AMERICAN OVERSIGHT

Cc: Short, Tracy <(b)(6); @hq.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C) @ice.dhs.gov>; S1 Action Group (b)(6); (b)(7)(C) @hq.dhs.gov>; Wolf, Chad (b)(6); (b)(7)(C) @hq.dhs.gov>
Subject: RE: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

When is the response expected. Is Monday ok?

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6); (b)(7)(C)
Date: Saturday, Jul 21, 2018, 12:28 PM
To: Blank, Thomas (b)(6); (b)(7)(C)
Cc: Short, Tracy <(b)(6); (b)(7)(C) hq.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C) @ice.dhs.gov>, S1 Action Group <(b)(6); (b)(7)(C) @hq.dhs.gov>
Subject: RE: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

Hi Tom,
This is helpful from a background perspective, but COS has asked for some additional context. Can you share more information on the following?

- (b)(5)
-
-
-

Thanks,
(b)(6); (b)(7)(C)

From: Blank, Thomas (b)(6); (b)(7)(C)
Sent: Monday, July 16, 2018 6:27 PM
To: Williams, Meredith <meredith.williams@hq.dhs.gov>
Cc: Short, Tracy (b)(6); (b)(7)(C) @hq.dhs.gov>; (b)(6); (b)(7)(C) @hq.dhs.gov>; (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

Here you go. ICE ES please send up your chain as well.

Thomas Blank
Chief of Staff
U.S. Immigration and Customs Enforcement

AMERICAN OVERSIGHT

U.S. Department of Homeland Security
202 732 (b)(6);
Cell 202 59 (b)(6);

From: (b)(6); (b)(7)(C)
Sent: Monday, July 16, 2018 5:06 PM
To: Blank, Thoma (b)(6); (b)(7)(C)
Cc: Short, Tracy (b)(6); (b)(7)(C) @hq.dhs.gov>; (b)(6); (b)(7)(C) @hq.dhs.gov>
Subject: RE: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

Tom,
I still have not received anything from you or your team. Please let me know the ETA so we can begin working on a final version for COS.

Thanks,
(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)
Senior Advisor
Office of the Executive Secretary
U.S. Department of Homeland Security
M: 202.73 (b)(6); (b)(7)(C)
O: 202.44

From: Blank, Thomas <(b)(6); (b)(7)(C)
Sent: Sunday, July 15, 2018 12:49 PM
To: (b)(6); (b)(7)(C) @hq.dhs.gov>; Wolf, Chad <(b)(6); @hq.dhs.gov>
Cc: Short, Tracy <(b)(6); @hq.dhs.gov>; (b)(6); (b)(7)(C) @hq.dhs.gov>
Subject: RE: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

On it with ERO.

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6); (b)(7)(C) @hq.dhs.gov>
Date: Sunday, Jul 15, 2018, 12:43 PM
To: Wolf, Chad <(b)(6); @hq.dhs.gov>
Cc: Blank, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>, Short, Tracy (b)(6); (b)(7)(C) hq.dhs.gov>, (b)(6); (b)(6); (b)(7)(C) @hq.dhs.gov>
Subject: Re: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

AMERICAN OVERSIGHT

COS - Will do.

Tom - if you can share with me what ICE currently has, we can begin thinking about format and any additional information to add.

(b)(6); (b)(7)(C)

—

(b)(6); (b)(7)(C)
Senior Advisor
Office of the Executive Secretary
U.S. Department of Homeland Security
M: 202.734(b)(6);
E:(b)(6); (b)(7)(C)

On Jul 15, 2018, at 12:05 PM, Wolf, Chad (b)(6); (b)(7)(C) wrote:

(b)(5)

Copying (b)(6); – standing up Secretary's Action Group (SAG) and can work to format, etc.

Chad F. Wolf
Chief of Staff
Department of Homeland Security
T: 202-447(b)(6);
C: 202-87(b)(7)(
Email(b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: Friday, July 13, 2018 8:30 PM
Subject: CBS: Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women

Senator Kamala Harris Calls For Investigation Into ICE Treatment Of Pregnant Women
CBS
July 13, 2018 at 4:50 pm
https://sanfrancisco.cbslocal.com/2018/07/13/senator-kamala-harris-calls-for-investigation-into-ice-treatment-of-pregnant-women/

RICHMOND (CBS SF) — U.S. Sen. Kamala Harris, D-California, and three of her Senate colleagues wrote a letter Friday calling on the Department of Homeland Security's Office of Inspector General to

AMERICAN OVERSIGHT

investigate the detention of pregnant women in U.S. Immigration and Customs Enforcement facilities.

The letter was addressed by Harris and fellow senators Tom Carper, Maggie Hassan and Patty Murray to Inspector General John V. Kelly in the wake of news reports scrutinizing the treatment of pregnant women in the centers.

“Detention is a profoundly traumatic experience for anyone and especially so for pregnant women,” the senators wrote. “Detention can frequently lead to extreme stress, depression and severe health complications for both a pregnant woman and her child.

“Pregnant women have repeatedly described the fear, uncertainty and exhaustion they experience as a result of being detained.”

Last month, Harris toured the Otay Mesa Immigration and Detention Facility in California, where she met with mothers who have been separated from their children. She also introduced the DONE act, with Rep. Pramila Jayapal, D-Washington, to stop the expansion of ICE detention facilities and ensure better oversight of the facilities.

Contra Costa County Sheriff David Livingston announced plans this week to end a contract with U.S. Immigration and Customs Enforcement and the U.S. Marshals Service that allowed ICE to house detainees at the West County Detention Facility in Richmond.

AMERICAN OVERSIGHT

From: Blank, Thomas
Sent: 24 Feb 2019 13:48:40 +0000
To: Vitiello, Ronald D
Subject: FW: FLAGGING: pregnant women at Port Isabel
Attachments: ES - ERO SN(b)(6); (b)(7)(C)

Ron

(b)(5)

Will advise further wejwn developments occur.

Tom

Sent with BlackBerry Work
(www.blackberry.com)

From: Asher, Nathalie R(b)(6); (b)(7)(C)
Date: Saturday, Feb 23, 2019, 10:31 PM
To: Albence, Matthew <(b)(6); (b)(7)(C)>, Blank, Thomas <(b)(6); (b)(7)(C), Picard, Vincent M <(b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: Marin, David A <(b)(6); (b)(7)(C)@ice.dhs.gov>, Elzea, Jennifer <(b)(6); (b)(7)(C)@ice.dhs.gov>, Jennings, David W <(b)(6); (b)(7)(C)@ice.dhs.gov>, (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@ice.dhs.gov>, (b)(6); (b)(7)(C)@ice.dhs.gov>, #ERO CHIEFS OF STAFF <(b)(6); (b)(7)(C)@ice.dhs.gov>, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)@ice.dhs.gov>(b)(6); (b)(7)(C)@ice.dhs.gov>, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)s@ice.dhs.gov>
Subject: RE: FLAGGING: pregnant women at Port Isabel

Good Evening All,

Pardon the delay; please find attached the E/S for the Honduran female who prematurely delivered a stillborn infant while in ICE custody yesterday evening. Given the short time in ICE custody, there was very little information to provide from ERO perspective as the case was a very recent transfer from USBP that was to be a next day release given the alien's advanced pregnancy stage. This should hopefully cover what OPA needs in the joint response with CBP as well.

Let us know if you need anything further.
NRA

From: Blank, Thomas
Sent: Saturday, February 23, 2019 2:31 PM
To: Picard, Vincent M (b)(6); (b)(7)(C)@ice.dhs.gov>; Hinojosa, Clemente (b)(6); (b)(7)(C)a@ice.dhs.gov>; #ERO CHIEFS OF STAFF (b)(6); (b)(7)(C)@ice.dhs.gov>

AMERICAN OVERSIGHT

Cc: Marin, David A <(b)(6); (b)(7)(C) @ice.dhs.gov>; Elzea, Jennifer <(b)(6); (b)(7)(C) @ice.dhs.gov>; Jennings, David W <(b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: FLAGGING: pregnant women at Port Isabel

Let's see the draft and go from there.

Sent with BlackBerry Work
(www.blackberry.com)

From: Picard, Vincent M (b)(6); (b)(7)(C)
Date: Saturday, Feb 23, 2019, 2:02 PM
To: (b)(6); (b)(7)(C)
<EROCHIEFSOFSTAFF@ice.dhs.gov>
Cc: Marin, David A <(b)(6); (b)(7)(C) @ice.dhs.gov>, Elzea, Jennifer <(b)(6); (b)(7)(C) @ice.dhs.gov>, Jennings, David W <(b)(6); (b)(7)(C) @ice.dhs.gov>, Blank, Thomas <(b)(6); (b)(7)(C) (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) @ice.dhs.gov>, Asher, Nathalie R <(b)(6); (b)(7)(C)
Subject: RE: FLAGGING: pregnant women at Port Isabel

CBP would like to do a joint notice since the incident occurred soon after they transferred custody.

I think (b)(5)
(b)(5)

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Saturday, Feb 23, 2019, 10:48 AM
To: Picard, Vincent M (b)(6); (b)(7)(C) O CHIEFS OF STAFF <(b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Marin, David A <(b)(6); (b)(7)(C) @ice.dhs.gov>, Elzea, Jennifer <(b)(6); (b)(7)(C) @ice.dhs.gov>, Jennings, David W <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: FLAGGING: pregnant women at Port Isabel

We are working it now and will let you know when we get the final version for release.

Regards,

(b)(6); (b)(7)(C)

From: Picard, Vincent M (b)(6); (b)(7)(C)
Date: Saturday, Feb 23, 2019, 10:47

AMERICAN OVERSIGHT

To: #ERO CHIEFS OF STAFF <(b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Marin, David A <(b)(6); (b)(7)(C) @ice.dhs.gov>, Elzea, Jennifer <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: FW: FLAGGING: pregnant women at Port Isabel

Would appreciate it if you could keep us looped in on this one.

Thanks,

Vinnie

Sent with BlackBerry Work
(www.blackberry.com)

From: Elzea, Jennifer <(b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Saturday, Feb 23, 2019, 9:47 AM
To: Picard, Vincent M <(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Rodriguez, Sarah <(b)(6); (b)(7)(C) @ice.dhs.gov>, Bennett, Danielle (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) y@ice.dhs.gov>
Subject: FLAGGING: pregnant women at Port Isabel

Good morning,

I just got the following flag from (b)(6); (b)(7)(C)

(b)(6); just called to report that a pregnant woman was taken into ICE custody from BP at Port Isabel last night. During intake, she went into labor and tragically the baby died. No other details available at the moment.

—

I do not know if the ERO FO or the ICE FO has been alerted yet. We will continue to monitor closely and flag if/when we begin to receive queries.

We'll work on a statement when we have more info. We'll likely need appendix B clearance because, while the deceased have no privacy rights, the mother still does.

Jenn

Jennifer D. Elzea
Press Secretary
U.S. Immigration and Customs Enforcement
Mobile: 202-595 (b)(6); (b)(7)(C)

AMERICAN OVERSIGHT

February 23, 2010

(b)(7)(E)

AMERICAN OVERSIGHT

(b)(7)(E)

AMERICAN OVERSIGHT

From: Blank, Thomas
Sent: Mon, 26 Feb 2018 16:24:43 +0000
To: Johnson, Liz;Homan, Thomas;(b)(6); (b)(7)(C)
Subject: RE: Pregnant detainees
Importance: Normal

Thanks. I have share this information with(b)(6); to follow-up on our exchange of Saturday nigjht.

From: Johnson, Liz
Sent: Monday, February 26, 2018 11:13 AM
To: Homan, Thomas; Blank, Thomas(b)(6); (b)(7)(C)
Subject: FW: Pregnant detainees

Breakdown is below – this was as of 2/20.

From(b)(6); (b)(7)(C)
Sent: Monday, February 26, 2018 9:24 AM
To: Johnson, Liz; Elzea, Jennifer; Rodriguez, Sarah; (b)(6); (b)(7)(C)
Cc: Albence, Matthew; Miller, Philip T; #ERO CHIEFS OF STAFF
Subject: RE: Pregnant detainees

After reviewing the immigration cases, it was determined that ICE had 60 pregnant detainees.

Adult Detention Facilities

- Mandatory Detention
  - 46 – recent border entrants
- Non-Mandatory
  - 2 – criminals
  - 1 - non-criminal

Family Residential Center

- Mandatory Detention
  - 11 – recent border entrants

From: Johnson, Liz <(b)(6); @ice.dhs.gov>
Date: Wednesday, Feb 21, 2018, 11:30 AM
To:(b)(6); (b)(7)(C) @ice.dhs.gov>, Elzea, Jennifer <(b)(6); (b)(7)(C)
Rodriguez, Sarah <(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Albence, Matthew <(b)(6); (b)(7)(C) @ice.dhs.gov>, Miller, Philip T <(b)(6); (b)(7)(C) @ice.dhs.gov>,
#ERO CHIEFS OF STAFF <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: Pregnant detainees

(b)(6); s, thanks very much for this. Reporters will also likely ask how many pregnant women we have detained since the policy went into effect in December – could we get that stat as well please?

Thanks,
(b)(6); (b)(7)(

AMERICAN OVERSIGHT

From: (b)(6); (b)(7)(C)
Sent: Tuesday, February 20, 2018 6:07 PM
To: Johnson, Liz
Cc: Albence, Matthew; Miller, Philip T; #ERO CHIEFS OF STAFF
Subject: Pregnant detainees

Liz -

As of today 2/20/2018 there are:

- 11 pregnant detainees at FRCs
- 51 pregnant detainees at Adults Detention Faculties.

AMERICAN OVERSIGHT

From: Johnson, Liz
Sent: Mon, 26 Feb 2018 16:12:39 +0000
To: Homan, Thomas;Blank, Thomas (b)(6); (b)(7)(C)
Subject: FW: Pregnant detainees
Importance: Normal

Breakdown is below – this was as of 2/20.

From: (b)(6); (b)(7)(C)
Sent: Monday, February 26, 2018 9:24 AM
To: Johnson, Liz; Elzea, Jennifer; Rodriguez, Sarah; (b)(6); (b)(7)(C)
Cc: Albence, Matthew; Miller, Philip T; #ERO CHIEFS OF STAFF
Subject: RE: Pregnant detainees

After reviewing the immigration cases, it was determined that ICE had 60 pregnant detainees.

Adult Detention Facilities

- Mandatory Detention
  - 46 – recent border entrants
- Non-Mandatory
  - 2 – criminals
  - 1 - non-criminal

Family Residential Center

- Mandatory Detention
  - 11 – recent border entrants

From: Johnson, Liz <(b)(6); @ice.dhs.gov>
Date: Wednesday, Feb 21, 2018, 11:30 AM
To: (b)(6); (b)(7)(C) ice.dhs.gov>, Elzea, Jennifer <(b)(6); (b)(7)(C) @ice.dhs.gov>, Rodriguez, Sarah <(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Albence, Matthew <(b)(6); (b)(7)(C) @ice.dhs.gov>, Miller, Philip T <(b)(6); (b)(7)(C) @ice.dhs.gov>, #ERO CHIEFS OF STAFF <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: Pregnant detainees

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Thanks,
Liz

From: (b)(6); (b)(7)(C)
Sent: Tuesday, February 20, 2018 6:07 PM
To: Johnson, Liz
Cc: Albence, Matthew; Miller, Philip T; #ERO CHIEFS OF STAFF
Subject: Pregnant detainees

AMERICAN OVERSIGHT

Liz -

As of today 2/20/2018 there are:

- 11 pregnant detainees at FRCs
- 51 pregnant detainees at Adults Detention Faculties.

AMERICAN OVERSIGHT

From: Blank, Thomas
Sent: 29 Mar 2018 16:19:57 +0000
To: Homan, Thomas
Cc: (b)(6); (b)(7)(C)
Subject: RE: Daily Beast: ICE Now Detaining Pregnant Women, Thanks to Trump Order
Attachments: RE: Daily Beast: ICE Now Detaining Pregnant Women, Thanks to Trump Order.eml

AMERICAN OVERSIGHT

From: Blank, Thomas
Sent: Thu, 29 Mar 2018 16:19:57 +0000
To: Homan, Thomas
Cc: (b)(6); (b)(7)(C)
Subject: RE: Daily Beast: ICE Now Detaining Pregnant Women, Thanks to Trump Order
Importance: Normal

(b)(6);

This is the result of them being advised via our rollout strategy.

Tom

From: Homan, Thomas
Sent: Thursday, March 29, 2018 12:18 PM
To: Blank, Thomas
Cc: (b)(6); (b)(7)(C)
Subject: RE: Daily Beast: ICE Now Detaining Pregnant Women, Thanks to Trump Order

Have we released the policy yet and did the calls? Or was the internal broadcast leaked?

Sent with BlackBerry Work
(www.blackberry.com)

From: Blank, Thomas <(b)(6); (b)(7)(C)
Date: Thursday, Mar 29, 2018, 11:44 AM
To: Homan, Thomas (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: FW: Daily Beast: ICE Now Detaining Pregnant Women, Thanks to Trump Order

Buckle Up.

From: (b)(6); (b)(7)(C)
Sent: Thursday, March 29, 2018 11:41 AM
To: Johnson, Liz; Blank, Thomas; (b)(6); (b)(7)(C)
Houlton, Tyler; Hummelberg, Hannah; Klingler, McLaurine; Lansing, Christyn; Lim, Evelyn; Marquardt, Kristen; Mitnick, John; Neumann, Elizabeth; Nichols, Kate; Prout, Silver; Scudder, Ryan; Shah, Dimple; Short, Tracy; Taylor, Miles; Waldman, Katie; Wales, Brandon; Wolf, Chad
Subject: Daily Beast: ICE Now Detaining Pregnant Women, Thanks to Trump Order

ICE Now Detaining Pregnant Women, Thanks to Trump Order
Daily Beast
Betsy Woodruff
March 29, 2018 – 11:34 AM
https://www.thedailybeast.com/ice-now-detaining-pregnant-women-thanks-to-trump-order/

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Immigration and Customs Enforcement will end the practice of auto-releasing pregnant women from detention, according to documents reviewed by The Daily Beast.

Immigration and Customs Enforcement is ending its practice of automatically releasing pregnant women from detention, according to internal communications reviewed by The Daily Beast.

This is because of President Donald Trump's executive order "Enhancing Public Safety in the Interior of the United States," which requires stricter enforcement of immigration laws. Previously, the agency's general practice was to release women from detention who were pregnant.

Now, pregnant women will only be able to get released if an ICE officer determines so on a case-by-case basis.

AMERICAN OVERSIGHT

From: Homan, Thomas
Sent: 10 Jan 2018 08:41:37 -0500
To: Blank, Thomas
Subject: RE: CA birth tourism op

I read about it in the paper too. I didn't know about it

From: Blank, Thomas
Sent: Wednesday, January 10, 2018 8:41 AM
To: Homan, Thomas
Subject: FW: CA birth tourism op

FYSA

From: Benner, Derek N
Sent: Wednesday, January 10, 2018 8:36 AM
To: Short, Tracy; Edge, Peter T; Blank, Thomas
Cc: (b)(6); (b)(7)(C)
Subject: RE: CA birth tourism op

Yes will do

Sent with BlackBerry Work
(www.blackberry.com)

From: Short, Tracy <(b)(6); @hq.dhs.gov>
Date: Wednesday, Jan 10, 2018, 8:31 AM
To: Edge, Peter T <(b)(6); (b)(7)(C) @ice.dhs.gov>, Benner, Derek N <(b)(6); (b)(7)(C) @ice.dhs.gov>, Blank, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: CA birth tourism op

Gentlemen,

S1 would like more information on the following birth tourism op. She had some understanding that there may have been an op in San Francisco, but was unaware of this one in southern CA. Can you provide a short summary? Thanks.

Tracy

DHS Raids California "Maternity Hotels."

NBC News (1/10, 6.95M) reports, "Southern California apartment complexes that doubled as 'maternity hotels' for Chinese women who want made-in-America babies were raided early Tuesday, capping an unprecedented federal sting operation, officials said." DHS agents "swept into The Carlyle, a luxury property in Irvine, California, which housed pregnant women and new moms who allegedly forked over $40,000 to $80,000 to give birth in the United States." None of the women who were present "were arrested; they are being treated as material witnesses, and paramedics were on hand in case any of them went into labor during the sweep." NBC News explains that the

AMERICAN OVERSIGHT

investigation was “aimed at ringleaders who pocketed hundreds of thousands of dollars tax-free to help Chinese nationals obtain visas and then pamper them until they delivered in an American hospital at a discount, court papers show.” HSI Los Angeles Special Agent in Charge Claude Arnold said, “It’s not necessarily illegal to come here to have the baby, but if you lie about your reasons for coming here, that’s visa fraud.” Federal law enforcement “raided 20 locations in Los Angeles, Orange and San Bernardino counties, targeting three competing birth tourism schemes, officials said.”

AMERICAN OVERSIGHT

From: Homan, Thomas
Sent: 10 Jan 2018 08:42:06 -0500
To: Blank, Thomas
Subject: RE: CA birth tourism op

Also, Claude Arnold retired a year ago. Was this an old operation?

From: Blank, Thomas
Sent: Wednesday, January 10, 2018 8:41 AM
To: Homan, Thomas
Subject: FW: CA birth tourism op

FYSA

From: Benner, Derek N
Sent: Wednesday, January 10, 2018 8:36 AM
To: Short, Tracy; Edge, Peter T; Blank, Thomas
Cc: (b)(6); (b)(7)(C)
Subject: RE: CA birth tourism op

Yes will do

Sent with BlackBerry Work
(www.blackberry.com)

From: Short, Tracy <(b)(6); (b)(7)(C)@hq.dhs.gov>
Date: Wednesday, Jan 10, 2018, 8:31 AM
To: Edge, Peter T (b)(6); (b)(7)(C)@ice.dhs.gov>, Benner, Derek N <(b)(6); (b)(7)(C)@ice.dhs.gov>, Blank, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>
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Gentlemen,

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investigation was “aimed at ringleaders who pocketed hundreds of thousands of dollars tax-free to help Chinese nationals obtain visas and then pamper them until they delivered in an American hospital at a discount, court papers show.” HSI Los Angeles Special Agent in Charge Claude Arnold said, “It’s not necessarily illegal to come here to have the baby, but if you lie about your reasons for coming here, that’s visa fraud.” Federal law enforcement “raided 20 locations in Los Angeles, Orange and San Bernardino counties, targeting three competing birth tourism schemes, officials said.”

AMERICAN OVERSIGHT

From: Albence, Matthew
Sent: 5 Jan 2018 12:29:47 -0500
To: Homan, Thomas;Blank, Thomas
Subject: FW: San Diego Union Activity

When CC was in town to visit POTUS, he and (b)(6); (b)(7)(went to the Hill to complain as well.

From: Valerio, Tracey A
Sent: Friday, January 5, 2018 12:29 PM
To: Homan, Thomas; Blank, Thomas
Cc: Edge, Peter T; (b)(6); (b)(7)(C) Albence, Matthew; (b)(6); (b)(7)(C) Miller, Philip T; (b)(6); (b)(7)(C) Valerio, Tracey A
Subject: RE: San Diego Union Activity

One last update: CRCL returned our call, they have been asked by certain members and the union to return to San Diego but there is no trip on the calendar at this time.

From: Valerio, Tracey A
Sent: Friday, January 05, 2018 11:58 AM
To: Homan, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>; Blank, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Edge, Peter T <(b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) ce.dhs.gov>; (b)(6); (b)(6); (b)(7)(C) @ice.dhs.gov>; Valerio, Tracey A <(b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) ice.dhs.gov>
Subject: FW: San Diego Union Activity

Following up on the inquiry this week regarding an upcoming CRCL visit to FOD San Diego, I checked with ODCR. CRCL most recently visited the AOR in summer 2017. We are unaware of any upcoming visits but have a call in to CRCL to confirm that there is nothing planned.

Notable for today: FOD San Diego is meeting with District Directors from the Offices of Reps. Vargas, Peters and Davis (CA Districts 51, 52 and 53 respectively).

The members requested this meeting to discuss:

- family groups,
- pregnant women,
- stays of removal; and
- the incident alleged in JICreport.com.

ODCR and OCR coordinated and provided all incoming congressional requests to assist in his preparation for the meeting.

Please let me know if you have any questions.

AMERICAN OVERSIGHT

From: Homan, Thomas
Sent: 5 Jan 2018 13:03:20 -0500
To: (b)(6); (b)(7)(C) ;Valerio, Tracey A;Blank, Thomas
Cc: Edge, Peter T;(b)(6); (b)(7)(C) ;Albence, Matthew;(b)(6); (b)(7)(C) ;Miller, Philip T;Valerio, Tracey A
Subject: RE: San Diego Union Activity

Fantastic. Thank you

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Friday, Jan 05, 2018, 1:02 PM
To: Homan, Thomas (b)(6); (b)(7)(C) @ice.dhs.gov>, Valerio, Tracey A (b)(6); (b)(7)(C) @ice.dhs.gov>, Blank, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Edge, Peter T <(b)(6); e@ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>(b)(6); (b)(7)(C) s@ice.dhs.gov>, Albence, Matthew (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>, Miller, Philip T <(b)(6); (b)(7)(C) @ice.dhs.gov>, Valerio, Tracey A <(b)(6); (b)(7)(C) ice.dhs.gov>
Subject: RE: San Diego Union Activity

Sir,

(b)(6); (b)(7)(C) s out of the office today, but please know ODCR previously provided all relevant information to CRCL, including ODCR's assessment and San Diego's FEVS data. In addition, ODCR has coordinated and is aligned with both ERO and CRCL.

ODCR also remains ready and prepared to provide any additional support required.

(b)(6); (b)(7)(C)
Deputy Assistant Director
Office of Diversity and Civil Rights
U.S. Immigration and Customs Enforcement
Tel: (202) 732(b)(6);
(b)(6); (b)(7)(C)

Privacy Act Notice: This email communication may contain information subject to the provisions of the Privacy Act (Public Law 93-579). This personal data is intended only for the use of the person or persons addressed above and is to be treated in a confidential manner. If you have received this email in error, please immediately notify the sender by return email and delete this message from your system.

From: Homan, Thomas
Sent: Friday, January 5, 2018 12:56 PM
To: Valerio, Tracey A; Blank, Thomas

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Cc: Edge, Peter T; (b)(6); (b)(7)(C) ; Albence, Matthew (b)(6); (b)(7)(C)
(b)(6); Miller, Philip T; (b)(6); (b)(7)(C) Valerio, Tracey A
Subject: RE: San Diego Union Activity

(b)(6); Please make sure You have sent everything you have to CRCL showing the enormous amount of work You and your team has done out there. Also send the FEVs data showing they rank the highest and have ranked the highest for years.

Sent with BlackBerry Work
(www.blackberry.com)

From: Valerio, Tracey A (b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Friday, Jan 05, 2018, 12:28 PM
To: Homan, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>, Blank, Thomas
<(b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Edge, Peter T <(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>,
(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>,
Albence, Matthew <(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>,
Miller, Philip T <(b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>,
Valerio, Tracey A <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: San Diego Union Activity

One last update: CRCL returned our call, they have been asked by certain members and the union to return to San Diego but there is no trip on the calendar at this time.

From: Valerio, Tracey A
Sent: Friday, January 05, 2018 11:58 AM
To: Homan, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>; Blank, Thomas
<(b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Edge, Peter T <(b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) ice.dhs.gov>;
(b)(6); (b)(7)(C) @ice.dhs.gov>; Valerio, Tracey A <(b)(6); (b)(7)(C) @ice.dhs.gov>;
(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: FW: San Diego Union Activity

Following up on the inquiry this week regarding an upcoming CRCL visit to FOD San Diego, I checked with ODCR. CRCL most recently visited the AOR in summer 2017. We are unaware of any upcoming visits but have a call in to CRCL to confirm that there is nothing planned.

Notable for today: FOD San Diego is meeting with District Directors from the Offices of Reps. Vargas, Peters and Davis (CA Districts 51, 52 and 53 respectively).

The members requested this meeting to discuss:

- family groups,
- pregnant women,
- stays of removal; and
- the incident alleged in JICreport.com.

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ODCR and OCR coordinated and provided all incoming congressional requests to assist in his preparation for the meeting.

Please let me know if you have any questions.

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Office of Public Affairs Monthly Snapshot
April 2018 Overview

Highlights:

- Rolled out updated policy on the detention of pregnant women including a media roundtable by phone. Coverage achieved was moderately fair, which was a much better outcome than many expected.
- Announced the results of Operation Keep Safe New York, which included ride-alongs for a Getty Images photojournalist and other local television outlets. Translated release into Spanish.
- Conducted on-camera interview between EAD Albence and VICE Weekly on HBO discussing ICE enforcement priorities and practices. Working to facilitate a fugitive operations ride-along for their piece as well.
- Announced the results of No Safe Haven IV, a fugitive operation focused on known or suspected human rights violators. Conducted photo and video shoots of operation in West Palm Beach, Florida and Los Angeles, California. Translating release into Spanish.
- Conducted Operation Matador photos and video shoots.
- Conducted six focus groups with the HSI and ERO directorates, including field offices and headquarters concerning the planned ICE.gov redesign for best ICE employee representation to the public.
- Reached more than 2.8 million people on social media (Twitter, Facebook, Instagram, and LinkedIn).

Happening Now:

- Facilitating local media interviews for Deputy Director while on travel in Atlanta.
- Planning for the rollout of the VOICE Quarterly Report (in conjunction with the one-year anniversary of the office). Coordinating with DHS and the WH for rollout details.
- Coordinating a communication plan for the upcoming DHS/HHS memorandum of agreement on the vetting of UAC sponsors.
- Producing video for VOICE anniversary, including victim interviews throughout the country.
- Preparing a communication plan for Operation Keep Safe Chicago (May 19, 2018), including a planned news release and potential media ride-alongs.
- Filming continues this month in Texas, Phoenix, and New York with Reel Peaks production company for their episodic documentary series about ICE.
- Producing DHS Recruiting and Hiring event plan, exhibit design and promotional materials.
- Producing IMAGE feature web page with video sound bites and cohesive social media campaign.
- Writing women in law enforcement feature stories about past and present ICE law enforcement officers and special agents.
- Translating ICE's existing public video content and tailoring it for Spanish-speaking audiences.
- April 26, 2018: Planning for World IP Day/10th Anniversary of the IPR Center. OPA will distribute a news release in coordination with Center partners including industry. We will

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DHS-(ICE)-19-0195-E, DHS-(ICE)-19-0494-E, DHS-(ICE)-19-0495-D-000061
2019-ICLI-00054 952

also work to generate media coverage of related events and assist with social media promotion.

- April 30, 2018: Preparing for the Deputy Director's meeting with the Wall Street Journal editorial board.
- April 30, 2018: Coordinating on a press release about the Federal Law Enforcement Officer Association award.
- May 2, 2018: The Deputy Director will speak at a press event for the cultural repatriation of Iraqi artifacts. Creating multimedia web feature for ICE.gov.
- May 7, 2018: FEVS messaging to workforce begins.
- May 14, 2018: Supporting Police Week events and employee engagement opportunities.

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DHS-(ICE)-19-0195-E, DHS-(ICE)-19-0494-E, DHS-(ICE)-19-0495-D-000062
2019-ICLI-00054 953

From: Johnson, Liz
Sent: Fri, 27 Apr 2018 17:01:08 +0000
To: Homan, Thomas;Blank, Thomas (b)(6); (b)(7)(C)
Subject: Durbin letter on Homan nomination
Importance: High

Heads up on this – we should discuss ASAP.

From: Johnson, Liz
Sent: Friday, April 27, 2018 12:59 PM
To: Waldman, Katie <(b)(6); (b)(7)(C) @hq.dhs.gov>
Cc: (b)(6); (b)(7)(C) @hq.dhs.gov>
Subject: RE: response to a congressional letter

We need to discuss. (b)(5)
(b)(5)

From: Waldman, Katie
Sent: Friday, April 27, 2018 12:55 PM
To: Johnson, Liz <(b)(6); @ice.dhs.gov>
Subject: FW: response to a congressional letter

(b)(5)

From: Kim, Seung Min <Seung-Min.Kim@washpost.com>
Sent: Friday, April 27, 2018 12:41 PM
To: Media Inquiry <MediaInquiry@HQ.DHS.GOV>
Subject: response to a congressional letter

Hey everyone—

This letter is from Durbin and about a dozen or so other senators is being released today, and I wanted to see if DHS would have any response to this. Thanks!

Seung Min

April 27, 2018

The Honorable Kirstjen M. Nielsen
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Nielsen:

We urge the Department of Homeland Security to immediately provide all documentation requested by the Senate Homeland Security and Governmental Affairs Committee (HSGAC) regarding the nomination

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of Thomas Homan to be Assistant Secretary of U.S. Immigration and Customs Enforcement (ICE) so that the Senate can consider Mr. Homan's nomination without further delay.

ICE has been without a Senate-confirmed Director since the first day of the Trump Administration, more than 14 months. President Trump took almost ten months to nominate Mr. Homan as ICE Director, a striking delay given the priority this Administration claims to place on immigration enforcement. Mr. Homan's nomination was referred to HSGAC on November 14, 2017, but we understand that DHS has not yet responded to the Committee's request for information about the nomination. Meantime, Mr. Homan has been performing the duties of ICE Director since January 30, 2017. This potential violation of the Federal Vacancies Reform Act of 1998 raises serious questions about the legality of Mr. Homan's actions as the acting head of ICE.

The absence of a Senate-confirmed head of ICE for more than a year hinders Congressional oversight and the efficient operation of the agency and is troubling in any circumstance. Moreover, it is completely unacceptable at a time when the Trump Administration is making radical – and in some cases possibly illegal – changes in immigration enforcement policies and practices. To name a few examples, under Mr. Homan's leadership, ICE has:

- Greatly reduced the use of prosecutorial discretion and sharply increased arrests and detentions of immigrants with no criminal background instead of focusing ICE's limited resources on those who pose a threat to our security;

- Reportedly separated hundreds of children of asylum-seekers from their parents;

- Reversed a policy of presumptive release for pregnant women; and

- Reversed a decades-long bipartisan policy of issuing stays of removal for beneficiaries of private immigration bills when the Chairman of the Immigration Subcommittee requests a report on the beneficiary.

These dramatic changes have often been accompanied by inflammatory and inaccurate statements from Mr. Homan, including one which led to the resignation of an ICE spokesman who said he "didn't want to perpetuate misleading facts." For example, Mr. Homan has:

- Reportedly referred to undocumented immigrants by the derogatory term "tonks";

- Said "shame on all of us" if Congress passes legislation to protect Dreamers, although the vast majority of Americans support such legislation;

- Said "I 100 percent support the wall," although the vast majority of Americans oppose building a border wall;

- Called for the criminal prosecution of elected officials who represent jurisdictions that limit their involvement in immigration enforcement;

- Compared the Mayor of Oakland, California to a "gang lookout";

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- Falsely suggested that an undocumented immigrant was responsible for wildfires in Sonoma County and that therefore California state law limiting involvement with immigration enforcement was to blame for the wildfires; and

- Said that undocumented immigrants, even those with deep roots in our country and no criminal background, "should be afraid".

We understand that the Trump Administration may be concerned about Mr. Homan answering questions under oath about his leadership of ICE, as well as the possibility that Mr. Homan's nomination could be defeated in the Senate. However, the Senate is an independent branch of government and has a responsibility under the Constitution to provide its advice and consent on this nomination. Therefore, we again urge you to immediately provide all documents requested by HSGAC so that the Senate can consider Mr. Homan's nomination as soon as possible.

Thank you for your time and consideration. We look forward to your prompt response.

cc: The Honorable Ron Johnson, Chairman, U.S. Senate Committee on Homeland Security and Governmental Affairs

The Honorable Claire McCaskill, Ranking Member, U.S. Senate Committee on Homeland Security and Governmental Affairs

The Honorable Chuck Grassley, Chairman, U.S. Senate Committee on the Judiciary

The Honorable John Cornyn, Chairman, Subcommittee on Immigration, U.S. Senate Committee on the Judiciary

Seung Min Kim
White House reporter
The Washington Post
Desk: (202) 334-6677
Cell: (202) 579-2652 (preferred)
@seungminkim

AMERICAN OVERSIGHT

From: Homan, Thomas
Sent: 27 Sep 2017 12:52:50 -0400
To: Blank, Thomas
Subject: RE: Preg Women

Thanks

Sent with BlackBerry Work
(www.blackberry.com)

From: Blank, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Wednesday, Sep 27, 2017, 11:09 AM
To: Homan, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: Preg Women

Tom:

I thought you might have some questions about the news story below from US News on pregnant women. The email below is from Debbie Sequin on the status of the revised policy on pregnant women. Also, ERO has no record of a miscarriage at Otay Mesa. While not named in this story, when this came up earlier ERO checked on the person detained at Otay Mesa and has no record of a miscarriage.

Let me know if you want any further action right now.

Tom

Tom,

We are still in the process of updating the policy and addessing comments from program offices. It should be ready for blue folder in a couple of weeks.

Note that the revised draft (b)(5)
(b)(5)

Debbie

From: (b)(6); (b)(7)(C)
Sent: Wednesday, September 27, 2017 10:01 AM
To: Blank, Thomas <(b)(6); (b)(7)(C) @ice.dhs.gov>; Seguin, Debbie

AMERICAN OVERSIGHT

(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: Preg Women

The person referenced below was detained at Otay Mesa Detention Facility. According to my records, there were no miscarriages FY16 or FY17 at the Otay Mesa Detention Facility.

From: Blank, Thomas
Sent: Wednesday, September 27, 2017 9:17 AM
To: (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) @ice.dhs.gov>; Seguin, Debbie
(b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: FW: Preg Women

(b)(6);:

I know this has come up before but is there anything new on this matter? I expect to hear fro AD1 on it today. I know there is a revised policy but has it been implemented and are there any new developments on the case in question?

Thanks,

Tom

Feds Accused of Improperly Detaining Pregnant Immigrants

U.S. News & World Report [9/26/2017 6:01 PM, Nomaan Merchant] reports that immigrants' rights advocates filed a complaint Tuesday with the U.S. Department of Homeland Security over what they say is the inhumane treatment of pregnant women being held in detention, including one who had a miscarriage. The complaint filed by the American Civil Liberties Union and other groups asks DHS to investigate the cases of 10 women who were held at facilities in California, Texas, and Washington State. It alleges that several women were held for weeks despite a memorandum issued last year by Thomas Homan, who is now acting director of U.S. Immigration and Customs Enforcement, which oversees the custody of immigrants detained for having entered the United States illegally. That memo says pregnant women are generally not to be detained "absent extraordinary circumstances or the requirement of mandatory detention." Lawyers and advocates for immigrants being held in detention facilities have long argued that the sites cause physical and psychological harm. Federal officials say immigrant detention is a necessary part of better border security and reducing illegal immigration. ICE said in a statement that it gives pregnancy screenings to all women up to the age of 56, and offers prenatal care and access to specialists for women remaining in custody. An agency spokeswoman, Jennifer Elzea, said ICE was "committed to ensuring the health, safety, and welfare of all those in our care."

Thomas Blank
Chief of Staff

AMERICAN OVERSIGHT

US Immigration and Customs Enforcement
US Department of Homeland Security
500 12th Street SW
Washington, D.C. 20536
Office 202 732 (b)(6);
Cell 202 59 (b)(6); (b)(7)(C)

AMERICAN OVERSIGHT

From: Homan, Thomas
Sent: 25 Oct 2017 13:17:11 -0400
To: Manger, Tom
Subject: RE: LEITF

Thank you Tom

Sent with BlackBerry Work
(www.blackberry.com)

From: Manger, Tom <(b)(6); (b)(7)(C)@montgomerycountymd.gov>
Date: Wednesday, Oct 25, 2017, 1:01 PM
To: Homan, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: LEITF

I will send you our Taser policy. I think getting your folks a less lethal option is a good thing. But I can tell you that some of your agents will get "lazy" and use it before they really need to. We had to emphasize to our cops that passive resistance does not call for using a Taser. Tasers should be used only when dealing with someone is actively, physically, resisting a lawful arrest. Also, we have had a couple in custody deaths where we used the Taser on someone. In those cases, the Officer used the taser repeatedly, in violation of our policy. So you have to stress to your folks that you can taser someone only twice for no more than 5 seconds at a time. Before we made our policy explicit, cops would just keep pulling the trigger because the person was not complying with verbal commands. Plus, don't let them use it only elderly people, pregnant women, etc. Bottom line, you have to be clear in your training and policy so that your folks to over use it.

I will send you our policy.

- (b)(6); (b)(7)(C)

J. Thomas Manger
Chief of Police
Montgomery County Department of Police
President, Major Cities Chiefs Association
(240) 773(b)(6);

From: Homan, Thomas [(b)(6); (b)(7)(C)@ice.dhs.gov]
Sent: Wednesday, October 25, 2017 10:13 AM
To: Manger, Tom <(b)(6); (b)(7)(C)@montgomerycountymd.gov>; Acevedo, Art <(b)(6); (b)(7)(C)@HoustonPolice.Org>
Subject: RE: LEITF

Thanks for the email. I certainly want to keep the cooperation and communication going. I truly believe that honest men and women can disagree on certain things especially when it comes to something as emotional as immigration. I just told Art the same thing. But I think we have a lot of common ground that we can work together on and message that to

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our communities. I am here to assist in any way I can. I respect both of you as law enforcement professionals and the dedication you have to your communities. Let me know how I can help. But most importantly, let's work together and stay in touch on things we can accomplish together that help those that rely on us. Again, thanks for the email. Also, I don't know if either one of you can share but can either one of you send me your current Taser Operational Policy? I would like to compare them to our "proposed" policy that is not final yet. I want to ensure we are consistent with our state and local partners as well as other fed agencies.,

Sent with BlackBerry Work
(www.blackberry.com)

From: Manger, Tom <(b)(6); (b)(7)(C)@montgomerycountymd.gov>
Date: Wednesday, Oct 25, 2017, 9:41 AM
To: Acevedo, Art <(b)(6); (b)(7)(C)@HoustonPolice.Org>
Cc: Homan, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: Re: LEITF

Tom,
Thank you for spending so much time with us at the LEITF meeting on Monday. Every chief and Sheriff in the room appreciates what you do.

Let's keep the communication going. When you and your folks get out and talk with the community, you really make folks understand your mission. We all suffer when our message is filtered through the media.

Again, thanks for spending the morning with us.

Tom Manger

J. Thomas Manger
MCPD

Sent from my iPhone

On Oct 25, 2017, at 8:21 AM, Acevedo, Art <(b)(6); (b)(7)(C)@HoustonPolice.Org> wrote:

> Tom,
>
> It was great seeing you at the LEITF meeting. I really appreciate you taking time to visit and the open and frank discussion. I think we are in agreement on most of the issues we discussed and if we focus on points of agreement we end up improving public safety by prioritizing enforcement efforts on undocumented immigrants that pose a public safety threat. Priority enforcement is truly the best way to enhance public safety without harming our already fragile economy and hampering recovery efforts in Texas, the

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Gulf region and other areas impacted by natural disasters. Really appreciated your commitment to a strategy that doesn't hurt recovery.

Please stay in touch and call me 24/7 on my cell if you need me at (832) 4(b)(6);
(b)(6); (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)

Warmly,

Art Acevedo
Chief of Police
Houston Police Department

AMERICAN OVERSIGHT

From: Blank, Thomas
Sent: 2 Nov 2017 08:41:08 -0400
To: Homan, Thomas;Albence, Matthew
Subject: RE: i need info

Working it.

From: Homan, Thomas
Sent: Thursday, November 2, 2017 8:39 AM
To: Albence, Matthew; Blank, Thomas
Subject: i need info

How many do we have in custody? How many miscarriages while in custody? What is the current policy on detaining?

Seventy Members of Congress Demand Answers on Reports of Increased Detention of Pregnant Women

Representative Pramila Jayapal [11/1/2017 1:27 PM, Staff, 4K] reports in a letter to Department of Homeland Security Acting Secretary Elaine Duke, co-chairs of the Women's Working Group on Immigration Reform, Representatives Lucille Roybal-Allard (CA-40) and Pramila Jayapal (WA-07) led 68 of their fellow members of Congress in expressing concern about increased detention rates of pregnant immigrant women and recent miscarriages in detention centers across the United States. "While it is unavoidable that some women who come into Customs and Border Protection (CBP) or ICE custody will be pregnant, especially in light of the high rates of sexual assault women and girls experience on their journey, attorneys and advocates are reporting a marked increase in the number of pregnant women with serious medical concerns coming to their attention in recent months, and a seeming shift in the agency's willingness to release pregnant women once the pregnancy is identified," wrote the members. The members are advocating for increased transparency around the treatment of pregnant women in detention and are seeking clarification from DHS on safety procedures, detention numbers and durations of detention for pregnant immigrant women.

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From: Blank, Thomas
Sent: 3 Nov 2017 10:35:29 -0400
To: Homan, Thomas
Subject: FW: i need info

Tom:

Your answers on pregnancy and miscarriages.

Tom

From (b)(6); (b)(7)(C)
Sent: Friday, November 3, 2017 9:38 AM
To: Blank, Thomas
Cc: (b)(6); (b)(7)(C); Albence, Matthew; Miller, Philip T; #ICE DD STAFF; #ERO CHIEFS OF STAFF
Subject: FW: i need info

How many do we have in custody?
As of 11/02/2017, there are 31 pregnant detainees

How many miscarriages while in custody?
For FY17, 3 detainees suffered miscarriages while in ICE custody and 3 were treated for non-viable pregnancies (1 molar pregnancy, 1 ectopic pregnancy, and 1 who was in progress of having a miscarriage at the time she entered ICE custody).

What is the current policy on detaining?
The policy regarding identification and monitoring of pregnant detainees signed in August 2016 (attached) remains in effect at this time. While this policy outlines that pregnant women should generally not be detained unless their detention is mandatory under the law, it does allow Enforcement and Removal Operations (ERO) Field Office Directors (FODs) to make determinations when "extraordinary circumstances" warrant detention.

- Note ICE is revising the policy regarding pregnant detainees. The revised draft no longer contains the language that pregnant women are generally not to be detained "absent extraordinary circumstances or the requirement of mandatory detention." The wording will be replaced with more factors of consideration.

From: Blank, Thomas
Sent: Thursday, November 02, 2017 8:41 AM
To: (b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: (b)(6); (b)(7)(C)@ice.dhs.gov>; Albence, Matthew
<(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: FW: i need info

AD1 question.

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From: Homan, Thomas
Sent: Thursday, November 2, 2017 8:39 AM
To: Albence, Matthew; Blank, Thomas
Subject: i need info

How many do we have in custody? How many miscarriages while in custody? What is the current policy on detaining?

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Representative Pramila Jayapal [11/1/2017 1:27 PM, Staff, 4K] reports in a letter to Department of Homeland Security Acting Secretary Elaine Duke, co-chairs of the Women's Working Group on Immigration Reform, Representatives Lucille Roybal-Allard (CA-40) and Pramila Jayapal (WA-07) led 68 of their fellow members of Congress in expressing concern about increased detention rates of pregnant immigrant women and recent miscarriages in detention centers across the United States. "While it is unavoidable that some women who come into Customs and Border Protection (CBP) or ICE custody will be pregnant, especially in light of the high rates of sexual assault women and girls experience on their journey, attorneys and advocates are reporting a marked increase in the number of pregnant women with serious medical concerns coming to their attention in recent months, and a seeming shift in the agency's willingness to release pregnant women once the pregnancy is identified," wrote the members. The members are advocating for increased transparency around the treatment of pregnant women in detention and are seeking clarification from DHS on safety procedures, detention numbers and durations of detention for pregnant immigrant women.

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From: Blank, Thomas
Sent: 13 Dec 2017 11:19:06 -0500
To: Homan, Thomas
Subject: FW: Pregnant Detainees Directive & Cover
Attachments: Pregnant Detainees Draft 11.9.17 clean.docx, Blue Folder Cover Memo Identification and Monitoring of Pregnant Detainees.docx

Tom:

Attached is the revised policy on pregnant detainees. It is here in the office but I thought you might want to review today. I (b)(5)
(b)(5)

Let me know what you think.

(b)(6); (b)(7)(C)

From: Seguin, Debbie
Sent: Wednesday, December 13, 2017 10:59 AM
To: Blank, Thomas
Cc (b)(6); (b)(7)(C)
Subject: FW: Pregnant Detainees Directive & Cover

Tom,
Per request.

Debbie

From: (b)(6); (b)(7)(C)
Sent: Wednesday, December 13, 2017 10:44 AM
To: Seguin, Debbie
Subject: Pregnant Detainees Directive & Cover

Attached, as per your request.

(b)(6); (b)(7)(C)
OMA, Office of Policy, Mailstop 5006
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
500 12th Street, SW; #4111
Washington, DC 20536-5006
Desk: 202-73(b)(6);
Govt iPhone: 202-316-(b)(6); (b)(7)(C)
(b)(6); (b)(7)(C) @ice.dhs.gov

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U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

(b)(5)

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(b)(5)

AMERICAN OVERSIGHT

(b)(5)

AMERICAN OVERSIGHT

(b)(5)

Thomas D. Homan
Deputy Director and Senior Official
Performing the Duties of the Director
U.S. Immigration and Customs Enforcement

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DHS-(ICE)-19-0195-E, DHS-(ICE)-19-0494-E, DHS-(ICE)-19-0495-D-000079
2019-ICLI-00054 970