

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

CHAD A. READLER  
Acting Assistant Attorney General  
SCOTT G. STEWART  
Deputy Assistant Attorney General  
WILLIAM C. PEACHEY  
Director  
Office of Immigration Litigation  
WILLIAM C. SILVIS  
Assistant Director  
Office of Immigration Litigation  
SARAH B. FABIAN  
Senior Litigation Counsel  
NICOLE MURLEY  
Trial Attorney  
Office of Immigration Litigation  
U.S. Department of Justice  
Box 868, Ben Franklin Station

Washington, DC 20442  
Telephone: (202) 532-4824  
Fax: (202) 616-8962

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

*Attorneys for Federal Respondents-  
Defendants*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

MS. L, et al.,

Petitioners-Plaintiffs,

vs.

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

Respondents-Defendants.

Case No. 18cv428 DMS MDD

**SUPPLEMENT TO JOINT  
STATUS REPORT**

1 The Court ordered the parties to file a joint status report on August 2, 2018, in  
2 anticipation of the telephonic status conference scheduled for August 3, 2018, at  
3 1:00pm PST. The parties filed that Joint Status Report in accordance with the Court's  
4 Order, ECF No. 171. Defendants hereby supplement their portion of that report as  
5 follows.  
6

7 Defendants report the following with regard to the current status, as of 12:00  
8 p.m. Eastern on August 1, 2018, of reunification of families with children ages 5-  
9 17:  
10

- 11 • Total number of possible children of potential class members originally  
12 identified: 2,551<sup>1</sup>
  - 13 ○ Children where further review shows they were not separated from  
14 parents by DHS: 35
  - 15 ○ Total number of those children who have been discharged from ORR:  
16 1979
  - 17 ○ Children discharged by being reunified with parents in ICE custody  
18 under the government's plan: 1535
  - 19 ○ Children discharged in other appropriate circumstances (these include  
20 discharges to other sponsors (such as in situations where there parent is  
21 not eligible for reunification), reunifications with parents in DHS  
22 custody earlier in the process, or children that turned 18) : 444

---

25  
26 <sup>1</sup> The data in this Section reflects approximate numbers maintained by ORR as of  
27 12:00 p.m. Eastern on August 1, 2018. These numbers continue to change as more  
28 reunifications or discharges occur.

- 1 • Children remaining in care with ORR, where the adult associated with the
- 2 child is either not originally eligible for reunification or not available for
- 3 discharge at this time: 572<sup>2</sup>
- 4     ○ Parent waived reunification: 34 children
- 5     ○ Reunification potentially affected by separate litigation: 97 children
- 6     ○ Adult red flag from background check: 23 children
- 7     ○ Adult red flag from other case file review: 34 children
- 8     ○ Adult released to the interior or other custody, and contact not yet made:
- 9         68 children
- 10     ○ Adult outside the U.S.: 410 children
- 11     ○ Adult location under case file review: 15 children

10 DATED: August 2, 2018

Respectfully submitted,

11 CHAD A. READLER  
12 Acting Assistant Attorney General

13 SCOTT G. STEWART  
14 Deputy Assistant Attorney General

15 WILLIAM C. PEACHEY  
16 Director

17 WILLIAM C. SILVIS  
18 Assistant Director

19 /s/ Sarah B. Fabian  
20 SARAH B. FABIAN  
21 Senior Litigation Counsel  
22 NICOLE MURLEY  
23 Trial Attorney

24 <sup>2</sup> This number is approximate because the data on children in care is still being  
25 updated to reflect discharges and information about associated adults. The groups  
26 of children in ORR care below, which are tied to the categories of the adults  
27 associated with those children, add up to more than 572 because some adults fall  
28 into more than one category (for example, red flag on background check and  
waived reunification).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Office of Immigration Litigation  
Civil Division  
U.S. Department of Justice  
P.O. Box 868, Ben Franklin Station  
Washington, DC 20044  
(202) 532-4824  
(202) 616-8962 (facsimile)  
sarah.b.fabian@usdoj.gov

ADAM L. BRAVERMAN  
United States Attorney  
SAMUEL W. BETTWY  
Assistant U.S. Attorney

*Attorneys for Respondents-Defendants*