

O.M.G. v. Wolf
FILINGS

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

O.M.G., *et al.*,

Petitioners,

v.

Chad WOLF, Acting Secretary of the U.S.
Department of Homeland Security, *et al.*,

Respondents.

Case No. 1:20-cv-00786-JEB

**NOTICE OF COVID-19
POSITIVE CASES**

The Honorable James E. Boasberg

Pursuant to the June 25, 2020 and September 9, 2020 minute orders, Respondents hereby notify the Court that, since the last notice (ECF No. 149), one (1) new intake at the Karnes County Family Residential Center (“Karnes FRC”), six (6) employees, four (4) new intakes, and two (2) residents at the South Texas Family Residential Center (“Dilley FRC”), and one (1) employee at the Berks Family Residential Center (“Berks FRC”), have tested positive for COVID-19. U.S. Immigration and Customs Enforcement informs the Department of Justice of the following:

I. Karnes County Family Residential Center (“Karnes FRC”)

New Intake 1: New Intake 1 arrived at Karnes FRC on November 21, 2020, and was tested that same day as part of the new intake process. On November 23, 2020, the results came back positive. New Intake 1 is asymptomatic, and being closely monitored. New Intake 1 is and will remain in quarantine for 14 days from the date of the positive test result, and, if New Intake 1 remains asymptomatic, will complete quarantine on December 7, 2020. At this time, New Intake 1 has not required treatment at an outside hospital or medical facility. All new intakes who arrived at the facility with New Intake 1, and remain asymptomatic, are and will remain in cohort for 14

days from their arrival at Karnes FRC on November 21, 2020, until December 6, 2020, and will be monitored and assessed for signs and symptoms of COVID-19 once per day.

II. South Texas Family Residential Center (“Dilley FRC”)

Employee 1: Employee 1 is an operations manager, who tested at an off-site facility on November 19, 2020, due to experiencing symptoms, beginning on that date. That same day, the results came back positive. At this time, Employee 1 has not required treatment at a hospital or medical facility. Employee 1 was last at Dilley FRC on November 18, 2020. Contact tracing is currently being conducted for the 48-hours prior to Employee 1 experiencing symptoms, including November 17 and 18, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 1 is and will remain in quarantine for 14 days from the date of the positive test result, until December 4, 2020. After that time, Employee 1 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 2: Employee 2 is a resident supervisor, who tested at an off-site facility on November 20, 2020, due to experiencing symptoms, beginning on that date. On November 23, 2020, the results came back positive. At this time, Employee 2 has not required treatment at a hospital or medical facility. Employee 2 was last at Dilley FRC on November 19, 2020. Contact tracing is currently being conducted for the 72-hours prior to Employee 2 experiencing symptoms, including November 17, 18, and 19, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 2 is and will remain in quarantine for 14 days from the date of the positive test result, until December 8, 2020. After that time, Employee 2 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 3: Employee 3 is a resident supervisor, who tested at an off-site facility on November 23, 2020, due to experiencing symptoms, beginning on that date. On November 25, 2020, the results came back positive. At this time, Employee 3 has not required treatment at a hospital or medical facility. Employee 3 was last at Dilley FRC on November 19, 2020. Contact tracing will not be conducted since Employee 3 was not present at Dilley FRC for the 48 hours prior to experiencing symptoms or testing positive. Employee 3 is and will remain in quarantine for 14 days from the date of the positive test result, until December 10, 2020. After that time, Employee 3 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 4: Employee 4 is a resident supervisor, who tested at an off-site facility on November 25, 2020, due to experiencing symptoms, beginning on November 21, 2020. On November 25, 2020, the results came back positive. At this time, Employee 4 has not required treatment at a hospital or medical facility. Employee 4 was last at Dilley FRC on November 20, 2020. Contact tracing is currently being conducted for the 48-hours prior to Employee 4 experiencing symptoms, including November 19 and 20, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 4 is and will remain in quarantine for 14 days from the date of the positive test result, until December 10, 2020. After that time, Employee 4 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 5: Employee 5 is a warehouse / commissary worker, who tested at an off-site facility on November 23, 2020, due to experiencing symptoms, beginning on that date, and prior exposure on November 17, 2020, to an individual who tested positive for COVID-19. On November 24, 2020, the results came back positive. At this time, Employee 5 has not required

treatment at a hospital or medical facility. Employee 5 was last at Dilley FRC on November 12, 2020. Contact tracing will not be conducted since Employee 5 was not present at Dilley FRC for the 48 hours prior to experiencing symptoms or testing positive. Employee 5 is and will remain in quarantine for 14 days from the date of the positive test result, until December 9, 2020. After that time, Employee 5 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 6: Employee 6 is a resident supervisor, who tested at an off-site facility on November 25, 2020, due to experiencing symptoms, beginning on that date. That same day, the results came back positive. At this time, Employee 6 has not required treatment at a hospital or medical facility. Employee 6 was last at Dilley FRC on November 24, 2020. Contact tracing is currently being conducted for the 48-hours prior to Employee 6 experiencing symptoms and testing positive, including November 23 and 24, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 6 is and will remain in quarantine for 14 days from the date of the positive test result, until December 10, 2020. After that time, Employee 6 has been directed to contact Human Resources for further guidance before reporting to work.

New Intake 1: New Intake 1 arrived at Dilley FRC on November 19, 2020, and was tested the following day, on November 20, 2020, as part of the new intake process. On November 22, 2020, the results came back positive. New Intake 1 is asymptomatic, and being closely monitored. New Intake 1 is and will remain in quarantine for 14 days from the date of the positive test result, and, if New Intake 1 remains asymptomatic, will complete quarantine on December 6, 2020. At this time, New Intake 1 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for November 19, 2020, the date New Intake 1 arrived at Dilley FRC,

through November 22, 2020, the date of the positive test result. All new intakes who arrived at the facility with New Intake 1 and remain asymptomatic are and will remain in cohort for 14 days from their arrival at Dilley FRC on November 19, 2020, until December 4, 2020, and will be monitored and assessed for signs and symptoms of COVID-19 once per day.

New Intake 2: New Intake 2 arrived at Dilley FRC on November 19, 2020, and was tested the following day, on November 20, 2020, as part of the new intake process. On November 22, 2020, the results came back positive. New Intake 2 is asymptomatic, and being closely monitored. New Intake 2 is and will remain in quarantine for 14 days from the date of the positive test result, and, if New Intake 2 remains asymptomatic, will complete quarantine on December 6, 2020. At this time, New Intake 2 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for November 19, 2020, the date New Intake 2 arrived at Dilley FRC, through November 22, 2020, the date of the positive test result. All new intakes who arrived at the facility with New Intake 2 and remain asymptomatic are and will remain in cohort for 14 days from their arrival at Dilley FRC on November 19, 2020, until December 4, 2020, and will be monitored and assessed for signs and symptoms of COVID-19 once per day.

New Intake 3: New Intake 3 arrived at Dilley FRC on November 22, 2020, and was tested the following day, on November 23, 2020, as part of the new intake process. On November 25, 2020, the results came back positive. New Intake 3 is asymptomatic, and being closely monitored. New Intake 3 is and will remain in quarantine for 14 days from the date of the positive test result, and, if New Intake 3 remains asymptomatic, will complete quarantine on December 9, 2020. At this time, New Intake 3 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for November 22, 2020, the date New Intake 3 arrived at Dilley FRC, through November 23, 2020, the date of the positive test result. All new intakes who arrived at the

facility with New Intake 3 and remain asymptomatic are and will remain in cohort for 14 days from their arrival at Dilley FRC on November 22, 2020, until December 7, 2020, and will be monitored and assessed for signs and symptoms of COVID-19 once per day.

New Intake 4: New Intake 4 arrived at Dilley FRC on November 22, 2020, and was tested the following day, on November 23, 2020, as part of the new intake process. On November 25, 2020, the results came back positive. New Intake 4 is asymptomatic, and being closely monitored. New Intake 4 is and will remain in quarantine for 14 days from the date of the positive test result, and, if New Intake 4 remains asymptomatic, will complete quarantine on December 9, 2020. At this time, New Intake 4 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for November 22, 2020, the date New Intake 4 arrived at Dilley FRC, through November 23, 2020, the date of the positive test result. All new intakes who arrived at the facility with New Intake 4 and remain asymptomatic are and will remain in cohort for 14 days from their arrival at Dilley FRC on November 22, 2020, until December 7, 2020, and will be monitored and assessed for signs and symptoms of COVID-19 once per day.

Resident 1: Resident 1 tested at Dilley FRC on November 23, 2020, as part of a sick call. On November 25, 2020, the results came back positive. Resident 1 is experiencing symptoms, and is being closely monitored. Resident 1 is and will remain in quarantine for 14 days from the date of the positive test result, and, if Resident 1 is asymptomatic at that time, will complete quarantine on December 9, 2020. At this time, Resident 1 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for November 21, 2020, through November 25, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented.

Resident 2: Resident 2 tested at Dilley FRC on November 23, 2020, as part of a sick call.

On November 25, 2020, the results came back positive. Resident 2 is experiencing symptoms, and is being closely monitored. Resident 2 is and will remain in quarantine for 14 days from the date of the positive test result, and, if Resident 2 is asymptomatic at that time, will complete quarantine on December 9, 2020. At this time, Resident 2 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for November 21, 2020, through November 25, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented.

III. Berks Family Residential Center (“Berks FRC”)

Employee 1: Employee 1 is a contract coordinator, who tested at an off-site facility on November 23, 2020, due to experiencing symptoms, beginning on that date. On November 24, 2020, the results came back positive. At this time, Employee 1 has not required treatment at a hospital or medical facility. Employee 1 was last at Berks FRC on November 20, 2020. Contact tracing will be conducted for the 48-hours prior to Employee 1 experiencing symptoms. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 1 is and will remain in quarantine for 14 days from the date of the positive test result, until December 9, 2020. After that time, Employee 1 has been directed to contact Human Resources for further guidance before reporting to work.

RESPECTFULLY SUBMITTED this 27th day of November, 2020.

MICHAEL R. SHERWIN
Acting United States Attorney
District of Columbia

DANIEL VAN HORN
Assistant U.S. Attorney
555 4th St. NW, Washington, DC 20530
Telephone: (202) 252-2506
Email: Daniel.VanHorn@usdoj.gov

JEFFREY BOSSERT CLARK
Acting Assistant Attorney General
Civil Division

WILLIAM C. PEACHEY
Director
Office of Immigration Litigation
District Court Section

ELIANIS PEREZ
Assistant Director

s/ Jordan K. Hummel
JORDAN K. HUMMEL
Trial Attorney
Office of Immigration Litigation - DCS
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Telephone: (202) 598-8715
Email: jordan.hummel@usdoj.gov

Attorneys for Respondents

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

O.M.G., *et al.*,

Petitioners,

v.

Chad WOLF, Acting Secretary of the U.S.
Department of Homeland Security, *et al.*,

Respondents.

Case No. 1:20-cv-00786-JEB

**NOTICE OF COVID-19
POSITIVE CASES**

The Honorable James E. Boasberg

Pursuant to the June 25, 2020 and September 9, 2020 minute orders, Respondents hereby notify the Court that, since the last notice (ECF No. 150), five (5) employees at the Karnes County Family Residential Center (“Karnes FRC”), four (4) employees and four (4) residents at the South Texas Family Residential Center (“Dilley FRC”), and one (1) employee at the Berks Family Residential Center (“Berks FRC”), have tested positive for COVID-19. U.S. Immigration and Customs Enforcement informs the Department of Justice of the following:

I. Karnes County Family Residential Center (“Karnes FRC”)

Employee 1: Employee 1 is a transportation officer, who tested at a local hospital on November 24, 2020, due to experiencing symptoms, beginning on that date. On November 27, 2020, the results came back positive. At this time, Employee 1 has been admitted to a local hospital for treatment. Employee 1 remains at the hospital, thus, the hospital will determine the length of any required quarantine. After that time, Employee 1 has been directed to contact Human Resources for further guidance before reporting to work. Employee 1 was last at Karnes FRC on November 23, 2020. Contact tracing was conducted for the 48-hours prior to Employee 1 experiencing symptoms, on the dates Employee 1 was present at Karnes FRC, including November

22 and 23, 2020, and revealed that Employee 1 had close contact with three (3) employees. Human Resources notified the exposed co-workers with instructions on steps to follow, including self-monitoring for symptoms and reporting any symptoms to the Human Resources Department.

Employee 2: Employee 2 is a recreation specialist, who tested at an off-site facility on November 27, 2020, due to experiencing symptoms, beginning on that date. On November 28, 2020, the results came back positive. At this time, Employee 2 has not required treatment at a hospital or medical facility. Employee 2 was last at Karnes FRC on November 27, 2020. Contact tracing was conducted for the 48-hours prior to Employee 2 experiencing symptoms, on the dates Employee 2 was present at Karnes FRC, including November 25, 26, and 27, 2020, and revealed that Employee 2 had close contact with four (4) employees. Employee 2 is and will remain in quarantine for 14 days from the date of the onset of symptoms, until December 13, 2020. After that time, Employee 2 has been directed to contact Human Resources for further guidance before reporting to work. Human Resources notified the exposed co-workers with instructions on steps to follow. The exposed co-workers will have their temperature checked twice per shift for 14 days from the date of exposure, and are asked to report any symptoms to the Human Resources Department.

Employee 3: Employee 3 is a resident advisor, who tested at an off-site facility on November 27, 2020, due to experiencing symptoms, beginning on that date. On November 30, 2020, the results came back positive. At this time, Employee 3 has not required treatment at a hospital or medical facility. Employee 3 was last at Karnes FRC on November 24, 2020. No contact tracing will be conducted as Employee 3 was not present at Karnes FRC in the 48-hours prior to experiencing symptoms. Employee 3 is and will remain in quarantine for 14 days from the onset of symptoms, until December 15, 2020. After that time, Employee 3 has been directed to

contact Human Resources for further guidance before reporting to work.

Employee 4: Employee 4 is a program manager, who tested at an off-site facility on December 2, 2020, due to experiencing symptoms, beginning on that date. That same day, the results came back positive. At this time, Employee 4 has not required treatment at a hospital or medical facility. Employee 4 was last at Karnes FRC on December 2, 2020. Contact tracing was conducted for the 48-hours prior to Employee 4 experiencing symptoms, on the dates Employee 4 was present at Karnes FRC, including November 30, and December 1 and 2, 2020, and revealed that Employee 4 had close contact with twelve (12) employees. Employee 4 is and will remain in quarantine for 14 days from the date of the onset of symptoms, until December 17, 2020. After that time, Employee 4 has been directed to contact Human Resources for further guidance before reporting to work. Human Resources notified the exposed co-workers with instructions on steps to follow. The exposed co-workers have been asked to quarantine for 14 days from the date of exposure and to report any symptoms to the Human Resources Department.

Employee 5: Employee 5 is a transportation supervisor, who tested at an off-site facility on December 2, 2020, due to experiencing symptoms, beginning on that date. That same day, the results came back positive. At this time, Employee 5 has not required treatment at a hospital or medical facility. Employee 5 was last at Karnes FRC on December 1, 2020. Contact tracing was conducted for the 48-hours prior to Employee 5 experiencing symptoms, on the dates Employee 5 was present at Karnes FRC, including November 30, and December 1, 2020, and revealed that Employee 5 had close contact with one (1) employee. Employee 5 is and will remain in quarantine for 14 days from the date of the onset of symptoms, until December 17, 2020. After that time, Employee 5 has been directed to contact Human Resources for further guidance before reporting to work. Human Resources notified the exposed co-worker with instructions on steps to follow.

The exposed co-worker has been asked to quarantine for 14 days from the date of exposure and to report any symptoms to the Human Resources Department.

II. South Texas Family Residential Center (“Dilley FRC”)

Employee 1: Employee 1 is an employee transportation supervisor, who tested at a local hospital on November 24, 2020, due to experiencing symptoms, beginning on that date. On November 27, 2020, the results came back positive. At this time, Employee 1 has not required treatment at a hospital or medical facility. Employee 1 was last at Dilley FRC on November 24, 2020. Contact tracing was conducted for the 48-hours prior to Employee 1 experiencing symptoms, on the dates Employee 1 was present at Dilley FRC, including November 22, 23, and 24, 2020. No close contact was identified. Employee 1 is and will remain in quarantine for 14 days from the date of the positive test result, until December 12, 2020. After that time, Employee 1 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 2: Employee 2 is a resident supervisor, who tested at an off-site facility on November 27, 2020, due to experiencing symptoms, beginning on November 26, 2020. On November 27, 2020, the results came back positive. At this time, Employee 2 has not required treatment at a hospital or medical facility. Employee 2 was last at Dilley FRC on November 26, 2020. Contact tracing is currently being conducted for November 26, 2020, as Employee 2 was not present at Dilley FRC on November 24 and 25, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 2 is and will remain in quarantine for 14 days from the date of the positive test result, until December 12, 2020. After that time, Employee 2 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 3: Employee 3 is a resident supervisor, who tested at an off-site facility on

November 27, 2020, due to experiencing symptoms, beginning on November 26, 2020. On November 30, 2020, the results came back positive. At this time, Employee 3 has not required treatment at a hospital or medical facility. Employee 3 was last at Dilley FRC on November 23, 2020. Contact tracing will not be conducted since Employee 3 was not present at Dilley FRC for the 48-hours prior to experiencing symptoms or testing positive. Employee 3 is and will remain in quarantine for 14 days from the date of the positive test result, until December 15, 2020. After that time, Employee 3 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 4: Employee 4 is a personnel investigator, who tested at an off-site facility on December 2, 2020, due to experiencing symptoms, beginning on November 26, 2020. On December 2, 2020, the results came back positive. At this time, Employee 4 has not required treatment at a hospital or medical facility. Employee 4 was last at Dilley FRC on November 25, 2020. Contact tracing is currently being conducted for the 48-hours prior to Employee 4 experiencing symptoms, on the dates Employee 4 was present at Dilley FRC, including November 24 and 25, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 4 is and will remain in quarantine for 14 days from the date of the positive test result, until December 17, 2020. After that time, Employee 4 has been directed to contact Human Resources for further guidance before reporting to work.

Resident 1: Resident 1 tested at Dilley FRC on November 27, 2020, as part of saturation testing.¹ On November 28, 2020, the results came back positive. Resident 1 is asymptomatic, and is being closely monitored. Resident 1 is and will remain in quarantine for 14 days from the date

¹ Saturation testing means that the entire resident population in the facility was tested at the same time. The CDC guidelines refer to this as broad-based testing.

of the saturation test, and, if Resident 1 is asymptomatic at that time, will complete quarantine on December 11, 2020. At this time, Resident 1 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for the 48-hours prior to the date of the saturation test, including November 25, 26, and 27, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. The residents in the housing complex where Resident 1 was assigned are and will remain in quarantine for 14 days from the date of the saturation test, and, if the residents remain asymptomatic, will complete quarantine on December 11, 2020.

Resident 2: Resident 2 tested at Dilley FRC on November 27, 2020, as part of saturation testing. On November 28, 2020, the results came back positive. Resident 2 is asymptomatic, and is being closely monitored. Resident 2 is and will remain in quarantine for 14 days from the date of the saturation test, and, if Resident 2 is asymptomatic at that time, will complete quarantine on December 11, 2020. At this time, Resident 2 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for the 48-hours prior to the date of the saturation test, including November 25, 26, and 27, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. The residents in the housing complex where Resident 2 was assigned are and will remain in quarantine for 14 days from the date of the saturation test, and, if the residents remain asymptomatic, will complete quarantine on December 11, 2020.

Resident 3: Resident 3 tested at Dilley FRC on November 27, 2020, as part of saturation testing. On November 28, 2020, the results came back positive. Resident 3 is asymptomatic, and is being closely monitored. Resident 3 is and will remain in quarantine for 14 days from the date of the saturation test, and, if Resident 3 is asymptomatic at that time, will complete quarantine on

December 11, 2020. At this time, Resident 3 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for the 48-hours prior to the date of the saturation test, including November 25, 26, and 27, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. The residents in the housing complex where Resident 3 was assigned are and will remain in quarantine for 14 days from the date of the saturation test, and, if the residents remain asymptomatic, will complete quarantine on December 11, 2020.

Resident 4: Resident 4 tested at Dilley FRC on November 27, 2020, as part of saturation testing. On November 28, 2020, the results came back positive. Resident 4 is asymptomatic, and is being closely monitored. Resident 4 is and will remain in quarantine for 14 days from the date of the date of the saturation test, and, if Resident 4 is asymptomatic at that time, will complete quarantine on December 11, 2020. At this time, Resident 4 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for the 48-hours prior to the date of the saturation test, including November 25, 26, and 27, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. The residents in the housing complex where Resident 1 was assigned are and will remain in quarantine for 14 days from the date of the saturation test, and, if the residents remain asymptomatic, will complete quarantine on December 11, 2020

III. Berks Family Residential Center (“Berks FRC”)

Employee 1: Employee 1 is a medical records technician, who tested at an off-site facility on November 22, 2020, due to experiencing symptoms, beginning on November 20, 2020. On November 27, 2020, the results came back positive. At this time, Employee 1 has not required treatment at a hospital or medical facility. Employee 1 was last at Berks FRC on November 20,

2020. Contact tracing is currently being conducted for the 48-hours prior to Employee 1 experiencing symptoms, on the dates Employee 1 was present at Berks FRC, including November 19 and 20, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 1 is and will remain in quarantine for 14 days from the date of the onset of symptoms, until December 4, 2020. After that time, Employee 1 has been directed to contact Human Resources for further guidance before reporting to work.

RESPECTFULLY SUBMITTED this 4th day of December, 2020.

MICHAEL R. SHERWIN
Acting United States Attorney
District of Columbia

DANIEL VAN HORN
Assistant U.S. Attorney
555 4th St. NW, Washington, DC 20530
Telephone: (202) 252-2506
Email: Daniel.VanHorn@usdoj.gov

JEFFREY BOSSERT CLARK
Acting Assistant Attorney General
Civil Division

WILLIAM C. PEACHEY
Director
Office of Immigration Litigation
District Court Section

ELIANIS PEREZ
Assistant Director

s/ Jordan K. Hummel
JORDAN K. HUMMEL
Trial Attorney
Office of Immigration Litigation - DCS
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Telephone: (202) 598-8715
Email: jordan.hummel@usdoj.gov

Attorneys for Respondents

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

O.M.G., *et al.*,

Petitioners,

v.

Chad WOLF, Acting Secretary of the U.S.
Department of Homeland Security, *et al.*,

Respondents.

Case No. 1:20-cv-00786-JEB

**NOTICE OF COVID-19
POSITIVE CASES**

The Honorable James E. Boasberg

Pursuant to the June 25, 2020 and September 9, 2020 minute orders, Respondents hereby notify the Court that, since the last notice (ECF No. 151), two (2) employees at the Karnes County Family Residential Center (“Karnes FRC”), three (3) employees and two (2) new intakes at the South Texas Family Residential Center (“Dilley FRC”), and two (2) employees and one (1) new intake at the Berks Family Residential Center (“Berks FRC”), have tested positive for COVID-19. U.S. Immigration and Customs Enforcement informs the Department of Justice of the following:

I. Karnes County Family Residential Center (“Karnes FRC”)

Employee 1: Employee 1 is a registered nurse, who tested at an off-site facility on December 6, 2020, due to experiencing symptoms, beginning on that date. On December 7, 2020, the results came back positive. At this time, Employee 1 has not required treatment at a hospital or medical facility. Employee 1 was last at Karnes FRC on December 6, 2020. Contact tracing was conducted for the 48-hours prior to Employee 1 experiencing symptoms, on the dates Employee 1 was present at Karnes FRC, including December 4, 5, and 6, 2020, and revealed that Employee 1 had no close contact with any residents or other employees. Employee 1 is and will remain in

quarantine for 14 days from the date of the positive test result, until December 22, 2020. After that time, Employee 1 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 2: Employee 2 is a registered nurse, who tested at an off-site facility on December 9, 2020, due to experiencing symptoms, beginning on that date. That same day, the results came back positive. At this time, Employee 2 has not required treatment at a hospital or medical facility. Employee 2 was last at Karnes FRC on December 8, 2020. Contact tracing was conducted for the 48-hours prior to Employee 2 experiencing symptoms, on the dates Employee 2 was present at Karnes FRC, including December 7 and 8, 2020, and revealed that Employee 2 had no close contact with any residents or other employees. Employee 2 is and will remain in quarantine for 14 days from the date of the positive test result, until December 24, 2020. After that time, Employee 2 has been directed to contact Human Resources for further guidance before reporting to work.

II. South Texas Family Residential Center (“Dilley FRC”)

Employee 1: Employee 1 is a resident supervisor, who tested at an off-site facility on December 6, 2020, due to experiencing symptoms, beginning on that date. On December 9, 2020, the results came back positive. At this time, Employee 1 has not required treatment at a hospital or medical facility. Employee 1 was last at Dilley FRC on December 6, 2020. Contact tracing will be conducted for the 48-hours prior to Employee 1 experiencing symptoms, on the dates Employee 1 was present at Dilley FRC, including December 4, 5, and 6, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 1 is and will remain in quarantine for 14 days from the date of the onset of symptoms, until December 21, 2020. After that time, Employee 1 has been directed to contact Human

Resources for further guidance before reporting to work.

Employee 2: Employee 2 is a resident supervisor, who tested at an off-site facility on December 9, 2020, due to experiencing symptoms, beginning on that date. That same day, the results came back positive. At this time, Employee 2 has not required treatment at a hospital or medical facility. Employee 2 was last at Dilley FRC on December 6, 2020. Contact tracing will not be conducted since Employee 2 was not present at Dilley FRC for the 48-hours prior to experiencing symptoms or testing positive. Employee 2 is and will remain in quarantine for 14 days from the date of the onset of symptoms, until December 24, 2020. After that time, Employee 2 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 3: Employee 3 is a resident supervisor, who tested at an off-site facility on December 10, 2020, due to experiencing symptoms, beginning on that date. That same day, the results came back positive. At this time, Employee 3 has not required treatment at a hospital or medical facility. Employee 3 was last at Dilley FRC on November 25, 2020. Contact tracing will not be conducted since Employee 3 was not present at Dilley FRC for the 48-hours prior to experiencing symptoms or testing positive. Employee 3 is and will remain in quarantine for 14 days from the date of the onset of symptoms, until December 25, 2020. After that time, Employee 3 has been directed to contact Human Resources for further guidance before reporting to work.

New Intake 1: New Intake 1 arrived at Dilley FRC on December 4, 2020, and was tested the following day, on December 5, 2020, as part of the new intake process. On December 7, 2020, the results came back positive. New Intake 1 is asymptomatic, and being closely monitored. New Intake 1 is and will remain in quarantine for 14 days from the date of the positive test result, and, if New Intake 1 remains asymptomatic, will complete quarantine on December 22, 2020. At this time, New Intake 1 has not required treatment at an outside hospital or medical facility. Contact

tracing will be conducted for December 4, 2020, the date New Intake 1 arrived at Dilley FRC, through December 7, 2020, the date of the positive test result. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. All new intakes who arrived at the facility with New Intake 1 and remain asymptomatic are and will remain in cohort for 14 days from their arrival at Dilley FRC on December 4, 2020, until December 19, 2020, and will be monitored and assessed for signs and symptoms of COVID-19 once per day.

New Intake 2: New Intake 2 arrived at Dilley FRC on December 7, 2020, and was tested the following day, on December 8, 2020, as part of the new intake process. On December 10, 2020, the results came back positive. New Intake 2 is asymptomatic, and being closely monitored. New Intake 2 is and will remain in quarantine for 14 days from the date of the positive test result, and, if New Intake 2 remains asymptomatic, will complete quarantine on December 25, 2020. At this time, New Intake 2 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for December 7, 2020, the date New Intake 2 arrived at Dilley FRC, through December 10, 2020, the date of the positive test result. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. All new intakes who arrived at the facility with New Intake 2 and remain asymptomatic are and will remain in cohort for 14 days from their arrival at Dilley FRC on December 7, 2020, until December 22, 2020, and will be monitored and assessed for signs and symptoms of COVID-19 once per day.

III. Berks Family Residential Center (“Berks FRC”)

Employee 1: Employee 1 is a shelter care counselor, who tested at an off-site facility on December 2, 2020, due to experiencing symptoms, beginning on that date, and exposure to an individual who had tested positive for COVID-19. On December 4, 2020, the results came back positive. At this time, Employee 1 has not required treatment at a hospital or medical facility.

Employee 1 was last at Berks FRC on December 2, 2020. Contact tracing was conducted for the 48-hours prior to Employee 1 experiencing symptoms, on the dates Employee 1 was present at Berks FRC, including November 30 and December 1 and 2, 2020, and revealed that Employee 1 did not have close contact with any residents or employees. Employee 1 is and will remain in quarantine for 14 days from the date of the onset of symptoms, until December 17, 2020. After that time, Employee 1 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 2: Employee 2 is a shelter care counselor, who tested at an off-site facility on December 1, 2020, due to experiencing symptoms, beginning on that date. On December 4, 2020, the results came back positive. At this time, Employee 2 has not required treatment at a hospital or medical facility. Employee 2 was last at Berks FRC on November 30, 2020. Contact tracing was conducted for the 48-hours prior to Employee 2 experiencing symptoms, on the dates Employee 2 was present at Berks FRC, including November 29 and 30, 2020, and revealed that Employee 2 did not have close contact with any residents or employees. Employee 2 is and will remain in quarantine for 14 days from the date of the onset of symptoms, until December 16, 2020. After that time, Employee 2 has been directed to contact Human Resources for further guidance before reporting to work.

New Intake 1: New Intake 1 arrived at Berks FRC on December 1, 2020, and was tested that same day as part of the new intake process. On December 8, 2020, the results came back positive. New Intake 1 is asymptomatic, and being closely monitored. New Intake 1 is and will remain in quarantine for 14 days from the date of the positive test result, and, if New Intake 1 remains asymptomatic, will complete quarantine on December 22, 2020. At this time, New Intake 1 has not required treatment at an outside hospital or medical facility. Contact tracing was

conducted for December 1, 2020, the date New Intake 1 arrived at Berks FRC, through December 8, 2020, the date of the positive test result. Contact tracing revealed that New Intake 1 had no close contact with residents outside of New Intake 1's immediate family unit, who were also tested for COVID-19 as part of the new intake process. All new intakes who arrived at the facility with New Intake 1 and remain asymptomatic are and will remain in cohort for 14 days from their arrival at Berks FRC on December 1, 2020, until December 16, 2020, and will be monitored and assessed for signs and symptoms of COVID-19 once per day.

RESPECTFULLY SUBMITTED this 11th day of December, 2020.

MICHAEL R. SHERWIN
Acting United States Attorney
District of Columbia

DANIEL VAN HORN
Assistant U.S. Attorney
555 4th St. NW, Washington, DC 20530
Telephone: (202) 252-2506
Email: Daniel.VanHorn@usdoj.gov

JEFFREY BOSSERT CLARK
Acting Assistant Attorney General
Civil Division

WILLIAM C. PEACHEY
Director
Office of Immigration Litigation
District Court Section

ELIANIS PEREZ
Assistant Director

s/ Jordan K. Hummel
JORDAN K. HUMMEL
Trial Attorney
Office of Immigration Litigation - DCS
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Telephone: (202) 598-8715
Email: jordan.hummel@usdoj.gov

Attorneys for Respondents

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

O.M.G., *et al.*,

Petitioners,

v.

Chad WOLF, Acting Secretary of the U.S.
Department of Homeland Security, *et al.*,

Respondents.

Case No. 1:20-cv-00786-JEB

**NOTICE OF COVID-19
POSITIVE CASES**

The Honorable James E. Boasberg

Pursuant to the June 25, 2020 and September 9, 2020 minute orders, Respondents hereby notify the Court that, since the last notice (ECF No. 154), four (4) employees and two (2) new intakes at the Karnes County Family Residential Center (“Karnes FRC”), six (6) employees and one (1) new intake at the South Texas Family Residential Center (“Dilley FRC”), and one (1) employee at the Berks Family Residential Center (“Berks FRC”), have tested positive for COVID-19. U.S. Immigration and Customs Enforcement informs the Department of Justice of the following:

I. Karnes County Family Residential Center (“Karnes FRC”)

Employee 1: Employee 1 is a resident advisor, who tested at an off-site facility on December 10, 2020, due to experiencing symptoms, beginning on that date. On December 11, 2020, the results came back positive. At this time, Employee 1 has not required treatment at a hospital or medical facility. Employee 1 was last at Karnes FRC on December 10, 2020. Contact tracing was conducted for the 48-hours prior to Employee 1 experiencing symptoms, on the dates Employee 1 was present at Karnes FRC, including December 8, 9, and 10, 2020, and revealed that Employee 1 had no close contact with any residents or other employees. Employee 1 is and will

remain in quarantine for 14 days from the date of the positive test result, until December 26, 2020. After that time, Employee 1 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 2: Employee 2 is a transportation officer, who tested at an off-site facility on December 11, 2020, due to contact with an individual who tested positive for COVID-19. That same day, the results came back positive. At this time, Employee 2 has not required treatment at a hospital or medical facility. Employee 2 was last at Karnes FRC on November 20, 2020. Contact tracing will not be conducted as Employee 2 was not present at Karnes FRC for the 48-hours prior to exposure or testing positive. Employee 2 is and will remain in quarantine for 14 days from the date of the positive test result, until December 26, 2020. After that time, Employee 2 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 3: Employee 3 is a resident advisor, who was tested on December 12, 2020, for peace of mind. On December 14, 2020, the results came back positive. At this time, Employee 3 has not required treatment at a hospital or medical facility. Employee 3 was last at Karnes FRC on December 14, 2020. Contact tracing was conducted for the 48-hours prior to Employee 3 testing positive, on the dates Employee 3 was present at Karnes FRC, including December 12, 13, and 14, 2020, and revealed that Employee 3 had close contact with two employees, but no residents. The exposed employees have been notified and asked to quarantine for 14 days from the positive test result, until December 29, 2020. Similarly, Employee 3 is and will remain in quarantine for 14 days from the date of the positive test result, until December 29, 2020. After that time, Employee 3 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 4: Employee 4 is a resident advisor, who was tested on December 15, 2020, due to experiencing symptoms, beginning on that date. On December 17, 2020, the results came back

positive. At this time, Employee 4 has not required treatment at a hospital or medical facility. Employee 4 was last at Karnes FRC on December 15, 2020. Contact tracing was conducted for the 48-hours prior to Employee 4 experiencing symptoms, on the dates Employee 4 was present at Karnes FRC, including December 13, 14, and 15, 2020, and revealed that Employee 4 had no close contact with any residents or other employees. Employee 4 is and will remain in quarantine for 14 days from the date of the positive test result, until January 1, 2021. After that time, Employee 4 has been directed to contact Human Resources for further guidance before reporting to work.

New Intake 1: New Intake 1 arrived at Karnes FRC on December 12, 2020, and was tested that same day as part of the new intake process. On December 14, 2020, the results came back positive. New Intake 1 is asymptomatic, and being closely monitored. New Intake 1 is and will remain in quarantine for 14 days from the date of the positive test result, until December 29, 2020, if New Intake 1 remains asymptomatic. At this time, New Intake 1 has not required treatment at an outside hospital or medical facility. All new intakes who arrived at the facility with New Intake 1 and remain asymptomatic are and will remain in cohort for 14 days from their arrival at Karnes FRC on December 12, 2020, until December 27, 2020, and will be monitored and assessed for signs and symptoms of COVID-19 once per day.

New Intake 2: New Intake 2 arrived at Karnes FRC on December 12, 2020, and was tested that same day as part of the new intake process. On December 14, 2020, the results came back positive. New Intake 2 is asymptomatic, and being closely monitored. New Intake 2 is and will remain in quarantine for 14 days from the date of the positive test result, until December 29, 2020, if New Intake 2 remains asymptomatic. At this time, New Intake 2 has not required treatment at an outside hospital or medical facility. All new intakes who arrived at the facility with New Intake 2 and remain asymptomatic are and will remain in cohort for 14 days from their arrival at Karnes

FRC on December 12, 2020, until December 27, 2020, and will be monitored and assessed for signs and symptoms of COVID-19 once per day.

II. South Texas Family Residential Center (“Dilley FRC”)

Employee 1: Employee 1 is a resident supervisor, who tested at a local hospital on December 11, 2020, due to experiencing symptoms, beginning on December 3, 2020. On December 11, 2020, the results came back positive. At this time, Employee 1 has not required treatment at a hospital or medical facility. Employee 1 was last at Dilley FRC on December 1, 2020. Contact tracing will be conducted for the 48-hours prior to Employee 1 experiencing symptoms, on the dates Employee 1 was present at Dilley FRC, including December 1, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 1 has been in quarantine since the onset of symptoms, and will remain in quarantine for 14 days from the date of the positive test result, until December 26, 2020. After that time, Employee 1 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 2: Employee 2 is an administrative clerk, who tested at a local hospital on December 9, 2020, due to experiencing symptoms, beginning on that date. On December 12, 2020, the results came back positive. At this time, Employee 2 has not required treatment at a hospital or medical facility. Employee 2 was last at Dilley FRC on December 9, 2020. Contact tracing will be conducted for the 48-hours prior to Employee 2 experiencing symptoms, on the dates Employee 2 was present at Dilley FRC, including December 7, 8, and 9, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 2 is and will remain in quarantine for 14 days from the date of the onset of symptoms, until December 24, 2020. After that time, Employee 2 has been directed to contact Human

Resources for further guidance before reporting to work.

Employee 3: Employee 3 is a registered nurse, who tested at an off-site facility on December 12, 2020, for peace of mind. On December 14, 2020, the results came back positive. At this time, Employee 3 has not required treatment at a hospital or medical facility. Employee 3 was last at Dilley FRC on December 14, 2020. Contact tracing was conducted for the 48-hours prior to testing positive, on the dates Employee 3 was present at Dilley FRC, including December 12, 13, and 14, 2020, and revealed that Employee 3 did not have close contact with any residents or employees. Employee 3 is and will remain in quarantine for 14 days from the date of the positive test result, until December 29, 2020. After that time, Employee 3 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 4: Employee 4 is a resident supervisor, who tested at an off-site facility on December 11, 2020, due to experiencing symptoms, beginning on that date. On December 14, 2020, the results came back positive. At this time, Employee 4 has not required treatment at a hospital or medical facility. Employee 4 was last at Dilley FRC on December 9, 2020. Contact tracing will be conducted for the last 48-hours that Employee 4 was present at Dilley FRC, including December 7, 8, and 9, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 4 is and will remain in quarantine for 14 days from the date of the positive test result, until December 29, 2020. After that time, Employee 4 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 5: Employee 5 is a resident supervisor, who tested at an off-site facility on December 14, 2020, due to experiencing symptoms, beginning on December 12, 2020. On December 16, 2020, the results came back positive. At this time, Employee 5 has not required

treatment at a hospital or medical facility. Employee 5 was last at Dilley FRC on December 11, 2020. Contact tracing will be conducted for the 48-hours prior to Employee 5 experiencing symptoms, on the dates Employee 5 was present at Dilley FRC, including December 11, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 5 is and will remain in quarantine for 14 days from the date of the positive test result, until December 31, 2020. After that time, Employee 5 has been directed to contact Human Resources for further guidance before reporting to work.

Employee 6: Employee 6 is a resident counselor, who tested at an off-site facility on December 17, 2020, due to exposure to an individual who tested positive for COVID-19. On that same day, the results came back positive. At this time, Employee 6 has not required treatment at a hospital or medical facility. Employee 6 was last at Dilley FRC on December 15, 2020. Contact tracing will be conducted for the last 48-hours Employee 6 was present at Dilley FRC, including December 14 and 15, 2020. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. Employee 6 is and will remain in quarantine for 14 days from the date of the positive test result, until January 1, 2021. After that time, Employee 6 has been directed to contact Human Resources for further guidance before reporting to work.

New Intake 1: New Intake 1 arrived at Dilley FRC on December 11, 2020, and was tested that same day, as part of the new intake process. On December 13, 2020, the results came back positive. New Intake 1 is asymptomatic, and being closely monitored. New Intake 1 is and will remain in quarantine for 14 days from the date of arrival at Dilley FRC, until December 26, 2020, if New Intake 1 remains asymptomatic. At this time, New Intake 1 has not required treatment at an outside hospital or medical facility. Contact tracing will be conducted for December 11, 2020,

the date New Intake 1 arrived at Dilley FRC, through December 13, 2020, the date of the positive test result. If any exposure is identified, the protocols for contact exposure previously described in ECF No. 108 will be implemented. All new intakes who arrived at the facility with New Intake 1 and remain asymptomatic are and will remain in cohort for 14 days from their arrival at Dilley FRC on December 11, 2020, until December 26, 2020, and will be monitored and assessed for signs and symptoms of COVID-19 once per day.

III. Berks Family Residential Center (“Berks FRC”)

Employee 1: Employee 1 is a shelter care counselor, who tested at a local hospital on December 8, 2020, due to experiencing symptoms, beginning on December 5, 2020. On December 12, 2020, the results came back positive. At this time, Employee 1 has not required treatment at a hospital or medical facility. Employee 1 was last at Berks FRC on December 4, 2020. Contact tracing was conducted for the 48-hours prior to Employee 1 experiencing symptoms, on the dates Employee 1 was present at Berks FRC, including December 3 and 4, 2020, and revealed that Employee 1 did not have close contact with any residents or employees. Employee 1 is and will remain in quarantine for 14 days from the date of the onset of symptoms, until December 20, 2020. After that time, Employee 1 has been directed to contact Human Resources for further guidance before reporting to work.

RESPECTFULLY SUBMITTED this 18th day of December, 2020.

MICHAEL R. SHERWIN
Acting United States Attorney
District of Columbia

DANIEL VAN HORN
Assistant U.S. Attorney
555 4th St. NW, Washington, DC 20530
Telephone: (202) 252-2506
Email: Daniel.VanHorn@usdoj.gov

JEFFREY BOSSERT CLARK

Acting Assistant Attorney General
Civil Division

WILLIAM C. PEACHEY
Director
Office of Immigration Litigation
District Court Section

ELIANIS PEREZ
Assistant Director

s/ Jordan K. Hummel
JORDAN K. HUMMEL
Trial Attorney
Office of Immigration Litigation - DCS
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Telephone: (202) 598-8715
Email: jordan.hummel@usdoj.gov

Attorneys for Respondents