

Memo: April 3, 1980

To: Carlos Vasquez

From: Cris McDonough and Shelly Sarfan

Re: Questions for witnesses re Children at MCC

Name of person being interviewed \_\_\_\_\_

Address & Phone # or Message # \_\_\_\_\_

Agency person represents \_\_\_\_\_

Source of information re children (e.g. personal knowledge, documents, etc.) \_\_\_\_\_

- a. List here the names of any children known to be housed in MCC, their addresses, in or outside the US, their parent(s) names, their dates of birth, and the dates of detention if known. Also list any other pertinent addresses and names and #'s such as US relatives or foster parents from prior US stays, etc:

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\_\_\_\_\_  
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- b. List here the titles of any documents relied upon or any other information used (if from another witness, give the name, address, phone number and agency, if applicable)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When were you last in MCC? \_\_\_\_\_

How often do you go there? \_\_\_\_\_

What floors do you regularly see? \_\_\_\_\_

For what purpose do you go to MCC? \_\_\_\_\_

\_\_\_\_\_

I. Were you on the 10th floor? \_\_\_\_\_

If yes, (if no, answer following series re 10th floor from other knowledge, please specify whether or not information from personal knowledge)

A) Were there any children on the 10th floor? \_\_\_\_\_

If yes, who, how many and what ages \_\_\_\_\_

\_\_\_\_\_

B) Were they housed with their mothers? \_\_\_\_\_

If no, where were they housed? \_\_\_\_\_

C) Did the children have their own beds? \_\_\_\_\_

If no, who did and who didn't? \_\_\_\_\_

\_\_\_\_\_

D) Did the children have any toys or other facilities for their use? (please list) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

E) Did the children ever leave the 10th floor while you were there? \_\_\_\_\_ If yes, do you know where and why? \_\_\_\_\_

Did they go with their mothers? \_\_\_\_\_

F) Do you know where the children on the 10th floor are fed? \_\_\_\_\_

\_\_\_\_\_ Do you know if they are well fed?

(Please describe) \_\_\_\_\_



G) Did you speak to any of the mothers or their children? Who?

\_\_\_\_\_

What were you able to find out? \_\_\_\_\_

\_\_\_\_\_

(1) How long are the mothers and children kept at MCC? \_\_\_\_\_

\_\_\_\_\_

(2) From what date detained to what date released and identify person if known \_\_\_\_\_

\_\_\_\_\_

(3) If more than a few days, why were the mothers and children still at MCC instead of the Door of Hope? Also list who and dates when this happened. \_\_\_\_\_

\_\_\_\_\_

(4) Were mothers and children ever split up? If yes, who and dates when and why, if known. \_\_\_\_\_

\_\_\_\_\_

(5) Were all the mothers held as material witnesses? If no, who was not. \_\_\_\_\_

\_\_\_\_\_

(6) Were any of the mothers charged with crimes? If yes, what crimes and who were the women charged. \_\_\_\_\_

\_\_\_\_\_

(7) Were any of the children held with mothers also held as charged with crimes or as material witnesses themselves? \_\_\_\_\_

If so who and when?

(8) Describe the booking process, list names and dates & timing re any mothers and/or children in the process. \_\_\_\_\_

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(a) Are material witnesses fingerprinted and photographed? \_\_\_\_\_ Does that include the children of material witnesses who themselves are not material witnesses or charged with a crime? \_\_\_\_\_

(b) How long does the booking process take? \_\_\_\_\_  
On what floor does it take place? \_\_\_\_\_  
Where are the children held during this process? \_\_\_\_\_

(c) How long does the medical screening process take? \_\_\_\_\_

Where is this process done? \_\_\_\_\_

What is involved in the process (e.g. who does the examination, what facilities are available, like x-ray, etc) \_\_\_\_\_

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Are mothers or children often sent to University Hospital or any other medical facility? Who, when and why? \_\_\_\_\_

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What happens to the children if the mother is sent to the hospital but the child is not in need of hospitalization, or vice versa? \_\_\_\_\_

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(9) Did any of the children appear to be afraid or upset about their surroundings? Describe who and why, include dates, if known.

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(10) Did any of the mothers want their children to be placed somewhere else? Give names, dates and where mothers preferred children to go.

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(11) Were any of the children harmed or threatened with harm from any of the inmates near them? State who, and dates and any background information re incident.

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(12) Were any of the children harmed or threatened with harm from any of the staff or anyone else within MCC including their own mothers? Give names of children, dates and names of person(s) responsible and their classification as staff, inmates, etc.

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(13) Were any of the children mixed with adult inmates other than their mothers at any time during the day or night? State who, when and where

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(14) Do you think any of the children are in any risk of being injured by anyone while they are housed in MCC? \_\_\_\_\_ If yes, what children, by what person(s), for what reason (including what source of access to the children creates the danger) \_\_\_\_\_

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(15) Do you know where the children go when the mother is taken to Court? \_\_\_\_\_  
\_\_\_\_\_

(16) If the children do not go with the mother to Court, who cares for them? Give names of children and caretakers. \_\_\_\_\_  
\_\_\_\_\_

(17) If the children go to Court with their mothers, is the mother chained? \_\_\_\_\_ Are the children chained? \_\_\_\_\_

(18) Who cares for the children while the mother goes before the Magistrate? \_\_\_\_\_

(19) Are the mothers with children offered bail? \_\_\_\_\_

If yes, in what amount? \_\_\_\_\_

(20) Can any of the mothers with children afford the bail? \_\_\_\_\_

(21) Do you know if the mothers with children are charged more bail if the mother is charged with a crime in addition to being held as a material witness? Give names & dates, if possible,  
\_\_\_\_\_  
\_\_\_\_\_

(22) If the mother does pay bail, do you know what happens to the mother and child(ren) after they bail out? Give names and addresses. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(23) During their stay at MCC, how do the children and their mothers spend their day? Describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

II. The following questions relate to the children held in the 3rd floor medical section. Please always list names and dates or incidents or personal experiences, when applicable:

- A. Were you on the 3rd floor? \_\_\_\_\_ If so, when and how often? \_\_\_\_\_
- B. Why did you go there? \_\_\_\_\_  
\_\_\_\_\_
- C. Did you see any children housed on the 3rd floor? \_\_\_\_\_  
If yes, who and when? \_\_\_\_\_  
\_\_\_\_\_
- D. What was the total number of children seen at one time held in the medical section? Give their ages? \_\_\_\_\_  
\_\_\_\_\_
- E. Do you know what any of the children on the 3rd floor are charged with? (What?) \_\_\_\_\_  
\_\_\_\_\_
- F. Are any of the children charged with crimes also held as material witnesses? Give names, if known \_\_\_\_\_
- G. Are children charged with crimes given a higher bail than those held only as material witnesses? \_\_\_\_\_  
\_\_\_\_\_
- H. Are any of the children on the 3rd floor held for more than the one or two day processing time? \_\_\_\_\_ If yes, who, what dates and why, if known? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- I. Do you know how long the children are held who are not released after processing? Who and give dates. \_\_\_\_\_

J. How do the children spend their days? Describe. \_\_\_\_\_

K. Were you able to speak with any of these children? \_\_\_\_\_ If yes, give their names, ages, charges, if any, and dates of confinement as well as problems they raised. \_\_\_\_\_

L. Did any of the children complain about their confinement in MCC? Who, when and what said? \_\_\_\_\_

M. Did any of the children say they preferred to stay in MCC for any reason? \_\_\_\_\_ If yes, who, when and why? \_\_\_\_\_

N. Were any of the children held on the 3rd floor not allowed to be released because they were determined to be escape risks? \_\_\_\_\_ If yes, who, when, how was the determination made? \_\_\_\_\_

O. Did any of the children say they wanted to stay in MCC to be nearer to a father, uncle, or other relative? Who, when? \_\_\_\_\_

P. Are any of the children forced to stay in MCC who would prefer to go to foster care or the Door of Hope? \_\_\_\_\_ If yes, who and why? Give dates. \_\_\_\_\_

(sub. 1) What are the conditions on the 3rd floor? Describe \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(a) Are the children mixed or have contact with adult inmates? Describe, who, dates when, where, how mixed  
\_\_\_\_\_  
\_\_\_\_\_

(b) Are the children kept in small rooms? \_\_\_\_\_ If yes, how small (what are the approx. dimensions)? \_\_\_\_\_  
\_\_\_\_\_

(c) How long are they kept in the room at a time? How long per day? \_\_\_\_\_  
\_\_\_\_\_

(d) What do the rooms contain? \_\_\_\_\_  
\_\_\_\_\_

(e) How many children are in each room? \_\_\_\_\_  
What are their ages? \_\_\_\_\_

(f) Are the children taken somewhere else for their food? If yes, where, how often, every day? \_\_\_\_\_  
\_\_\_\_\_

(g) How often are the children taken to the roof? \_\_\_\_\_  
Are they mixed with adult inmates? \_\_\_\_\_

(h) How often are children taken to the 6th floor for reading and other educational purposes? \_\_\_\_\_  
\_\_\_\_\_

(i) Is there enough bilingual staff to assist the children?  
\_\_\_\_\_

(j) Are the children in any danger from injuries or harrassment for any other inmates or staff? Describe and give names and dates, if known: \_\_\_\_\_

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(k) Have you received any complaints from any of the children about any of the above ? \_\_\_\_\_ What specifically and from whom? \_\_\_\_\_

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Q. Describe the booking process, listing the names and dates of any children you are aware of who have been through the process: \_\_\_\_\_

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R. Are the children chained when taken to Court? \_\_\_\_\_

S. Do the children understand the Court proceedings? \_\_\_\_\_

If no, who doesn't and why, give dates and other parties involved. \_\_\_\_\_

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T. Are all the children provided with attorneys for their criminal and material witness cases? \_\_\_\_\_ If no, who isn't, when and why not? \_\_\_\_\_

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U. Do you know if their attorneys properly explain the situation to them, the alternatives, if any, etc? \_\_\_\_\_ If no, what children don't get proper legal attention, when did this happen, who was the attorney, etc. \_\_\_\_\_

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V. Are all the attorneys bilingual? \_\_\_\_\_ If not, are interpreters available and provided? \_\_\_\_\_

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W. Do any of the childrens' criminal cases go to trial ? \_\_\_\_\_ If no, are they dismissed, or what else happens? \_\_\_\_\_

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X. Are the children allowed to visit with their fathers or mothers or any other relatives who are on other floors at MCC? \_\_\_\_\_

If not, who isn't, when not allowed and why? \_\_\_\_\_

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If they are allowed to visit, how often and for how long each time?

\_\_\_\_\_

Y. Are the children allowed to visit with relatives and/or friends who are outside of MCC? \_\_\_\_\_ If not, who is not, when not allowed and why, if known. \_\_\_\_\_

\_\_\_\_\_

Z. Are any children ever taken outside of MCC (besides the roof and Court) for field trips, education, etc? \_\_\_\_\_ If so, who, when, where taken, and how often this happens. \_\_\_\_\_

\_\_\_\_\_

AA. Are the children provided with all necessities, proper food, clothing, hygiene materials, etc? \_\_\_\_\_ If no, who is not, when did it happen, how often is it a problem? \_\_\_\_\_

\_\_\_\_\_

BB. Are the children ever kept on any other floors for any length of time? \_\_\_\_\_ If so, who, when, what floors, for how long and for what reason. \_\_\_\_\_

\_\_\_\_\_

CC. Do any children taken to other floors for meals, exercise, or other reasons listed above, ever have contact with adult inmates? \_\_\_\_\_ If so, what children, when, what floors, what adults, how often. \_\_\_\_\_

III. The following questions pertain to children held anywhere in MCC:

1. Were you able to find out anything about the arrest and original detention of any of the children in MCC? Describe? If known, always state who, applicable dates, charges, etc.

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\_\_\_\_\_

a. Where were the children arrested? \_\_\_\_\_

b. By whom were they arrested? \_\_\_\_\_

c. Where were they first taken? \_\_\_\_\_

\_\_\_\_\_

d. How long were they held there? \_\_\_\_\_

\_\_\_\_\_

e. List any subsequent places of detention prior to MCC and length of detention there. Also give pertinent dates.

\_\_\_\_\_

\_\_\_\_\_

f. What were the conditions of each of these places? Describe.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

g. Was each place set up for the handling of children? (e.g. separation from adult inmates, appropriate food, clothing, toys, educational materials, etc.) \_\_\_\_\_ If no, what was lacking and list which place for each problem described

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h. Were legal representatives (bilingual) provided? \_\_\_\_\_

If no, who didn't receive, when and why not. \_\_\_\_\_

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i. Were most of the children with a parent (either mother or father)? \_\_\_\_\_ If not, in what combinations did you see or hear about the children? (e.g. children in groups; children with non-relative adults; children alone, etc.) Give names and other identification, if known.

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2. Are children ever placed with their fathers or other relatives in MCC? \_\_\_\_\_ If yes, who, when, why done, any contact with other inmates? \_\_\_\_\_

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3. Are children ever kept in MCC longer than their parents? \_\_\_\_\_ If yes, cite examples of who, when, how long a time and reasons given for it. \_\_\_\_\_

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4. How long is the longest time you've ever known a child to be kept at MCC? \_\_\_\_\_ Describe clearly, who, dates, purpose of detention, present location of child or parents or relatives, etc. \_\_\_\_\_

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4.1 Are any material witnesses, children or adult, ever mixed with post-trial or sentenced adult inmates?  \_\_\_\_\_ If yes, who, where and when \_\_\_\_\_

4.2 Are any material witness children ever mixed with post-trial or sentenced juvenile inmates? \_\_\_\_\_ If yes, who, where and when \_\_\_\_\_

4.3 Are any material witnesses, children or adult, ever mixed with pre-trial adult inmates? \_\_\_\_\_ If yes, who, where and when? \_\_\_\_\_

4.4 Are any material witness children (not themselves charged with any crime) ever mixed with pre-trial juvenile inmates? \_\_\_\_\_  
If yes, who, where and when? \_\_\_\_\_

5. What do you know about the requirement of the US Attorney to provide bi-weekly reports on the detention of material witnesses? Is it done in the case of children? \_\_\_\_\_ If not, for whom is it not done, give dates and reasons why not done. \_\_\_\_\_

6. Are depositions ever taken of children? \_\_\_\_\_ If yes, are they then released from MCC? \_\_\_\_\_

If not then released, who is not, give dates and details. \_\_\_\_\_

If depositions are not taken of children, can you cite any examples of situations where you thought a deposition would have been appropriate? (consider the age of the child in your answer)

7. What is the release process for the children? Describe. \_\_\_\_\_

a. Are children released from MCC only, or are they sometimes released from Court or elsewhere, like Univ. Hosp? \_\_\_\_\_

Describe circumstances, if Court releases \_\_\_\_\_

b. Is any effort made to be certain that children and parents are reunited between release and deportation? \_\_\_\_\_

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c. Are the children and/or their parents given any food, clothing and/or money provisions following release from MCC? Describe when and what given \_\_\_\_\_

d. Where are the children deported to? Listed place of residence? Other? \_\_\_\_\_

e. How is that process accomplished? \_\_\_\_\_

IV. The following questions are in search of any additional information about the Door of Hope and Catholic Family Services placements of children in foster care.

A. Are any children held in the Door of Hope without a parent? What age are the children, names, dates of placement, etc. \_\_\_\_\_

B. Are any mothers kept in the Door of Hope without a child? \_\_\_\_\_

C. Do mothers and children placed in the Door of Hope ever desire to leave there? \_\_\_\_\_ If yes, who and why? \_\_\_\_\_

D. Are mothers or children ever threatened with harm from defendants in the criminal cases or anyone else while they reside in the Door of Hope? \_\_\_\_\_ If yes, who, dates when, who threatened, etc. \_\_\_\_\_

G.1 Are you aware of any case(s) where formal proceedings have been instituted to take children away from their parents or other custodial relatives during or immediately following a detention in the United States? \_\_\_\_\_ If yes, describe the circumstances, providing the names of the child(ren) and parents, most recent address, pertinent dates, and any other information that will aid in discovery. \_\_\_\_\_

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- E. Do the children in foster care ever stay with their foster parents instead of returning to their native country? \_\_\_\_\_  
If yes, are they adopted, assisted in immigration proceedings through other means, etc. \_\_\_\_\_

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Please give names, addresses, etc. of any children and foster parents that have been adopted, immigrated, etc. \_\_\_\_\_

\_\_\_\_\_

- F. Please describe a typical Door of Hope placement, include information about the conditions there, the quality of the food, housing unit, recreation, etc. \_\_\_\_\_

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- G. Please describe a typical foster home placement, including age range of the children placed, whether siblings are kept together, quality of homes children are placed in, frequency of replacements if problems arise (what problems arise), etc.

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