

DECLARATION OF ELANIE J. CINTRON

I, Elanie J. Cintron, make the following declaration based on my personal knowledge and declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an attorney with Lichter Immigration in Denver, Colorado. I have been practicing immigration law since I graduated from the Hofstra University School of Law in May 2013. During my last year of law school, I worked at Hofstra's Political Asylum Clinic, where I assisted in representing individuals seeking asylum. I previously interned for six months with Immigration Equality, where I also worked on asylum cases.
2. From [REDACTED] I worked as part of a team of volunteer attorneys who have been providing legal advice and representation to the women and children who are currently detained at the Federal Law Enforcement Training Center (FLETC) in Artesia, New Mexico. The facility is located 541 miles away from my office (about an 8.5 hour drive). I shared a hotel room, which cost approximately \$1,040. My other expenses totaled approximately \$953.60, including \$500 for meals and other incidentals, and \$453.60 for gas to travel to Artesia.
3. At 6:45 am on my first morning, I drove to the facility with another volunteer. After obtaining our visitor's passes, we were taken to the "law library" in a metal "caged" van. When we arrived at the "law library" at approximately 7:15 am, there was confusion about whom we could and could not see. Women and children were in a back room, which the attorneys were not allowed to enter. An officer with U.S. Immigration and Customs Enforcement (ICE) told us we could not enter that room and closed the door.
4. We told the ICE officer that we wanted to inform the women of their right to counsel. To this end, we prepared a two-sided handout for the women to educate them about their rights. The back side of the handout provided a space for the women to indicate that they wanted to speak to a volunteer attorney. The handout instructed the women to give the form to their deportation officer after completing it.
5. After nearly a half hour of discussion, I was one of two attorneys who were allowed to enter the back room for five minutes. We distributed the handouts as quickly as possible. Given the time constraint we could not answer any questions. While we were there, the women began discussing the way they were treated at the facility. At that point, ICE told us to leave the room.
6. Together with another volunteer attorney, I represented one woman in a negative credible fear review hearing before Immigration Judge [REDACTED]. The hearing was conducted by videoconference, and we were not able to clearly see the judge. We sat at a rectangular table while our client held her daughter on her lap. We requested a postponement to gather supporting documents for the case, and we received a four-day continuance. Basically, we had four days to obtain documents from Honduras, even

though the client was unable to make phone calls and her family did not have access to a computer or fax in Honduras.

7. Following the hearing, I returned to the "law library" and began working with the client to draft her declaration. Sitting in a corner with her daughter in her lap, the client began to recount the death threats she had received from gangs in Honduras [REDACTED]

[REDACTED] The gang members told her that she would have to pay the equivalent of approximately [REDACTED] in order to ensure that her life would be spared and her daughter would be safe. The client's daughter stared at the floor while her mother cried and talked about her fear of returning to Honduras.

8. As the interview went on, I could see that the child was getting sleepy. She was also shivering, and the mother told me that her daughter had not been sleeping because their room was freezing. I took off my blazer and placed it over the child, who promptly fell asleep.

9. My client and I had no privacy while we worked on her declaration. ICE officials were constantly walking around us. We could hear children crying. We also heard an ICE officer reprimanding a mother because her child was too loud. There were so many distractions that I cannot be certain I heard my client's whole story.

10. With only a handful of attorneys on the ground, the women detained in Artesia spend hours waiting to be seen. Even though we told ICE which women we wanted to meet in the morning and which ones in the afternoon, ICE woke up all the women on our list at 5:30 am and forced them to go to the "law library." Some women had to forego medical treatment because they were waiting to meet with an attorney.

11. [REDACTED] I met with a client who was at risk of missing the opportunity for her son to get medical care. I had met with her briefly the day before for an intake. She had fled Honduras after the gangs shot her and her husband during a weekly [REDACTED] at their home. [REDACTED]

[REDACTED] She attended her credible fear interview without counsel and received a negative finding, which was ultimately vacated by an immigration judge after we began representing her. My client explained that, at the time of her credible fear interview, she did not know that there were volunteer attorneys available to assist her. She said that she tried to tell her story the best she could, but she was very nervous.

12. While my client told me her story, her son was crying and visibly ill. His eyes were rolling into the back of his head. When I asked if my client had tried to see a doctor, she said she had been told to wait in line, but that she had come to see me instead so that she could understand what was going on with her case. At one point, my client's son began to tremble and then proceeded to throw up on the stairs at the entrance to the "law library." An officer began to reprimand my client because her child was vomiting. Only after I urged the ICE guard to take my client and her son to the doctor were they finally taken to see a physician within the facility.

13. I tried to meet with my client again that evening. After approximately a half hour of waiting, I asked the ICE officer in charge what was going on. As it turned out, he had called the wrong woman to the library. Around twenty minutes later, he returned to inform me that my client was in the hospital with her son.

14. On one occasion while I was conducting intakes, I was interrupted by an Asylum Officer. The Asylum Officer asked if I was an attorney and if I could assist a woman who had completed her credible fear interview but was refusing to sign paperwork without an attorney present. I followed the Asylum Officer into what reminded me of a high school classroom in a trailer. The Asylum Officer explained that the client had received a positive credible fear determination and asked if she wanted a "prompt" hearing. The client said that she wanted to get out of Artesia as soon as possible so that her daughter would not continue to be sick, and that maybe a prompt hearing would be best. I explained that a prompt hearing would not be beneficial because it would be impossible to prepare her asylum case in such a short period of time. In the end, she did not sign for a prompt hearing.

15. When I returned to the "law library," I met with other women who also had received positive credible fear determinations. As I reviewed their paperwork, I began to realize that some of them had signed for a prompt hearing. When I asked why, they said they did not understand. They thought that if they signed, they would get out sooner.

16. One mother who had a positive credible fear finding left Honduras because her ex-partner was extremely abusive and nearly killed her. He would tell her that he was going to shoot her and leave her for dead. He made these comments in front of her son. The mother left their home, but [REDACTED] she was repeatedly threatened and confronted by gang members. At the FLETC, when her son would ask for chocolate or if he was being too loud, the mother would tell him to stop to avoid getting reprimanded by the officers. The boy would respond to his mother by asking if they were going to shoot him.

17. During our meeting, both the mother and her son were coughing. The mother said she had taken her son to the doctor, but was told that he should just drink water. The mother told me that her son had been very sick and was refusing to eat. His symptoms include vomiting and diarrhea, but she could not get anyone to help.

18. I left Artesia on the evening of [REDACTED] I will never forget the pain and fear in the faces of the women and children I represented.

Executed this 17th day of August, 2014 in Denver, Colorado.



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