

DECLARATION OF ELIZABETH A. FERRELL

I, Elizabeth A. Ferrell, 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 admitted to the bar in the State of New Mexico. I am an associate attorney with Noble & Vrapı, P.A. in Albuquerque, New Mexico. My practice is limited to immigration and nationality law, including removal defense. I have represented clients in immigration proceedings for approximately one year.
2. I have been to Artesia, New Mexico, to represent clients from Central America detained at the Federal Law Enforcement Training Center (FLETC) two times since the detention center opened in June 2014. Artesia is approximately four hours from Albuquerque by car. Visiting the facility takes approximately 8 hours and costs approximately \$270 in gas. On one occasion, my client had an early morning hearing, which required me to arrive the night before and spend approximately \$130 on a hotel.
3. The community of immigration lawyers in New Mexico is extremely small. The closest cities to Artesia are Roswell and Carlsbad. I do not know any immigration attorneys in those cities. There are immigration attorneys in Albuquerque (approximately four hour drive) and El Paso (approximately three hour drive).
4. On [REDACTED] 2014, I was in the "law library" and another attorney, Shelley Wittevrongel, was nearby when I asked the ICE supervisor who handled bond requests. The officer told me that he handled all bond matters. He then told Shelley and me that he was not granting bond because all of these people were in expedited removal proceedings and they were all going to be deported. At one point, I interjected that my client had a positive credible fear determination. He was surprised and said she was "one in a thousand." I started discussing the particulars of my client's situation with him, including family ties in the United States. He gave me his email address and said I could send him the documents that my firm had prepared for bond. That was in the morning. When I followed up with him later that afternoon, his attitude had changed completely and he would not discuss bond. He told me it was his job to "move these people through here." When I tried again to explain that my client had a positive credible fear finding, he said that did not matter because he has seen immigration judges reverse such findings. I asked whether he would consider bond for anyone, and he said no.
5. At present, my law firm represents four women detained in Artesia. None of our clients has understood the contents of the forms they signed. They were all told to sign and they did. Sometimes they would have a general idea that a form concerned bond or a credible fear interview, but that was all they knew. In general, my clients have been confused about the meaning of the legal documentation they received from government officials.
6. On one occasion, I spoke with the family member of a prospective client detained in Artesia. The family member later informed my office that her relative did not want to proceed with her asylum case because she was worried her child would become gravely ill or die if she stayed in the detention center. There have been a few children who became gravely ill while detained.

7. Clients in Artesia inform me regularly that they can try to call me on the telephone; however, they usually only get one telephone call and if they use it to call me, they cannot call their families. There is no confidential phone access. When I talk to my clients, I can hear noise in the background. When I ask a client to ask something of an official, I usually receive an answer within seconds, which indicates to me that officials are always present during our phone calls.

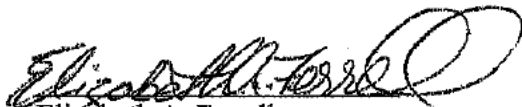
8. There is also no confidential meeting space at the detention center. At present, there are attorney stations two feet apart from each other with no cubicle partitions. There have always been ICE officers in the room. I have always been able to hear their conversations, as well as other attorney's conversations.

9. On [REDACTED] 2014 [REDACTED] one of my clients had a hearing before an Immigration Judge to review an asylum officer's negative credible fear finding, which I missed because of lack of notice. The 1(800) Executive Office for Immigration Review (EOIR) hotline stated the hearing was set for 1:30 pm. It was my understanding that hearings were being set for Mountain Standard Time. In fact, the hearing had been set for 1:30 pm Eastern Standard Time, which was 11:30 am Mountain Standard Time. I requested to see my client at 9:30 am when I discovered the hearing was set for Eastern Standard Time. I was unable to see my client until 10:30 am at which time I learned from her that her hearing already took place at 10:00 am, one and half hours earlier than stated on the EOIR hotline and the Notice of Hearing she was given during the weekend.

10. My ability to represent my clients detained in Artesia is impeded by the fact that they are mothers who need to look after their children while they are meeting with me. This interrupts and limits the quality of the time we are able to meet. Additionally, having children present creates a huge problem for clients who feel uncomfortable speaking about very traumatic matters with their children present, especially if their children are old enough to understand what they are saying.

11. To the best of my knowledge, although I have been told by an immigration judge that the hearings times reflect Mountain Standard Time, the EOIR hotline continues to use Eastern Standard Time.

Executed this 15th day of August, 2014 at Albuquerque, New Mexico.



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