

DECLARATION OF SARAH PEREZ

I, Sarah Perez, 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 Nevada, and am admitted to practice before the Nevada Supreme Court. I practice immigration law at Hamilton Law in Las Vegas, NV. I have represented clients in immigration proceedings for approximately 3 years.
2. My past experiences with credible fear interviews and immigration courts stand in stark contrast to what I witnessed in Artesia. Normally, when I submit my appearance on behalf of a client, I am notified of any interviews or hearings that are scheduled for my client. I am able to prep my client and attend the interview and any subsequent hearings. Further, the evidentiary burden in a credible fear interview is generally very low because the respondent is not expected to present evidence or show that he or she has a likelihood of winning an asylum case.
3. The Federal Law Enforcement Training Center in Artesia, New Mexico, where the Department of Homeland Security is detaining hundreds of mothers and children, is approximately 813 miles from my law office. I spent over \$800 on travel to and from Artesia and expenses during the three days I spent volunteering there. I arrived in Artesia on [REDACTED] and stayed until [REDACTED].
4. In Artesia, I joined a group of approximately 12 lawyers, members of the American Immigration Lawyers Association (AILA). We provided legal consultations and representation on a pro bono basis to women detained there.
5. During the first two days I spent in Artesia, I worked from the Artesia Chamber of Commerce reviewing summaries of Artesia detainees' negative credible fear findings and declarations taken from the detainees. In at least one of the credible fear summaries, the woman told the asylum officer that she had an attorney who was not present during the interview. In other declarations, the detained women had requested to speak with an attorney during their interviews. In every case I reviewed where the detainee requested to speak with an attorney, the asylum officer merely asked, "Do you want to continue or not?" In none of the interview summaries I reviewed did the asylum officer state that the person could postpone the interview in order to obtain legal representation or that AILA attorneys were at Artesia and available to consult with the detained women. Because these women indicated that they would like to consult with an attorney but never had the opportunity to do so, I drafted motions to reconsider the negative credible fear findings in those cases. Some attorneys had even been told that ICE officers would not recognize multiple entries of appearance by different attorneys for the same detainee.
6. I also drafted motions to reconsider negative credible fear findings when I thought that the findings did not take into consideration all of the available evidence and, based on my prior experience representing individuals in credible fear interviews, were wrongly decided. By the end of my second day in Artesia, I had filed approximately 15 to 20 motions to reconsider.

7. It was very difficult to contact individual detainees by phone so they could provide declarations in support of the motions to reconsider. Such declarations are extremely helpful to asylum officers deciding whether to reconsider a negative credible fear finding. ICE provided a phone number that we were supposed to be able to use to reach detainees. On one occasion, I called this number and left my contact information so the woman I was trying to reach could call me back. Three hours later, the woman called me back and told me that the ICE officer who allowed her to use the phone told her that she had five minutes to speak to me. Five minutes was a wholly inadequate amount of time to hear details about this woman's fear of return to El Salvador. As the woman rushed to share details about her fear of gang members in El Salvador, I overheard the ICE officer in the background saying "Your time is up. Your time is up."
8. This particular client had received a negative credible fear determination, which was affirmed by the immigration judge. She had requested time to speak to an attorney both to the Asylum Officer and the Immigration Judge, and was never given an opportunity to consult with a legal representative. She had even been told by an ICE officer that an attorney would only facilitate her deportation.
9. Although I was only able to speak with this particular detainee for approximately five minutes, based on my experience representing clients in credible fear interviews prior to my time in Artesia, I believe that her fear of gangs in El Salvador would support a positive credible fear finding. The woman explained that gang members were trying to recruit some members of her family to work for them and threatening her son. She stated that her neighbor had disappeared after receiving similar threats, her house had been vandalized, and she was told that she would be killed if she returned to her home.
10. After I completed the declaration in the Artesia Chamber of Commerce, I emailed the declaration to another attorney inside the detention facility so that my client could sign it. At this point, ICE was unable to find my client. Because the declaration could not be signed, I was forced to submit the motion to reconsider without the accompanying declaration.
11. In my practice, I work with clients in several different detention centers. I have never observed a comparable lack of access to phones or inability to communicate with family members or lawyers outside of the detention center. In the other ICE detention facilities, although the system is not perfect, I have always been able to communicate with my client in a timely fashion. In Artesia, the inability to communicate with clients, along with asylum officers' refusal to acknowledge entries of appearance, made it extremely difficult for lawyers to provide effective representation.
12. Lists of detainees with whom we wanted to meet had to be e-mailed to ICE officers by 7 pm the night before. Even after providing the list, some detainees would never appear for consultations because, according to ICE officers, they could not be "found."
13. The women with whom I met with were not provided advance notice about their credible fear interviews. ICE officers would go to the dormitory area, call a detainee name, and bring her

to the law library without explaining to her where she was going, what papers were needed, or with whom she would meet.

14. On [REDACTED] I observed an interview where the attorney appeared telephonically. It was clear to me that the woman did not understand the questions that the asylum officer asked her. For example, the asylum officer asked if the woman was part of a "particular social group" and if she belonged to a certain "race." In this particular interview, the woman had an attorney present. The attorney was able to clarify certain issues at the end of the interview to ensure that the woman understood what was asked and was able to answer the questions. This woman passed her credible fear interview. Many like her could have passed if they had been given the opportunity to consult with an attorney or at least have an attorney with them during the interview to ensure that they had a meaningful opportunity to tell their stories.

15. Prior to my visit to the facility, I created a flyer in Spanish that explained to the women that they had a right to consult with an attorney and that there were volunteer lawyers at the Artesia facility prepared to help them with their cases.

16. Soon after we distributed the flyers to detainees, they were confiscated and prohibited by the ICE officers. The women told our pro bono group that distributing the flyers would get them in "trouble" and as a result, they did not want to share them.

17. I generally observed that the women detained at Artesia were uninformed or misinformed about their situation and any rights they might have. One woman stated she was told by a consular official that if she didn't sign a "deportation order," she would go to jail and be separated from her children. Apart from her consultation with me, no other information provided to her at Artesia disputed this misinformation.

18. There was very little privacy during our conversations with the detained women. We were required to meet in the "law library" if we wanted to speak with the women. There were two cubicles in the law library designated for consultations, but due to the number of detainees who wished to speak to attorneys, the women and lawyers were forced to have conversations at picnic tables. All of the people in the room, including the ICE officers, could overhear conversations between the women and attorneys.

19. The children detained at Artesia were with their mothers at all times. As a result, the mothers had to speak in front of their children about the traumatic events that formed the basis of their credible fear claims. In one instance, a woman described to me how her husband had repeatedly beat her and her family had forced her out of her home. If she were to return home, she would be returning to abuse. She had to explain all of this to me while holding her daughter, who appeared to be approximately four or five years old, in her lap.

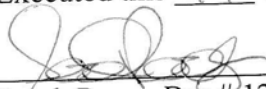
20. On my third and final day in Artesia, I went to the detention facility and consulted with several women prior to their credible fear interviews while others in our group conducted a Know Your Rights presentation. Both the client consultations and the Know Your Rights presentation took place at the "law library." There was not a single book in the law library.

There were two computers that did not have internet access. During the approximately 6 hours I spent at the law library that day, I did not see one detainee sit at the computers.

21. During the Know Your Rights presentation, I spoke with women about some of the difficulties they had communicating with attorneys and family members. The women explained that phone calls were limited to several minutes, but that ICE officials allowed detainees to have a longer phone call if they would perform certain tasks such as cleaning the bathrooms.

22. The women reported to me that they were subject to various types of abuse. They overheard ICE officers refer to them as animals. During mealtime, one woman overheard an ICE officer say, "Look at the animals eat." Women stated that ICE officers yelled at them and told them that they shouldn't take food out of turn. I also observed mothers using small hand towels to keep their children warm in the over-air conditioned detention facility.

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