

DECLARATION OF HEATHER MAJAM

I, Heather Majam, 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 licensed and admitted to the bar in the State of Florida, and I am licensed to practice in Spain as well. I run my own law firm, MAJAM IMMIGRATION LAW, PC, where my practice is exclusively focused on U.S. immigration law, including removal defense, asylum hearings and other immigration petitions. I have been a member of the American Immigration Lawyers Association (AILA) for 4 years.

2. Each day from [REDACTED] I met with women and children detained at the Federal Law Enforcement Training Center (FLETC) in Artesia, New Mexico, as a member of a volunteer team of approximately 14 attorneys and assistants who were attempting to provide pro bono legal assistance to these women and children. All of the women with whom I came into contact were from El Salvador, Guatemala, or Honduras.

3. I live and work in Beaverton, Oregon. In order to get to the Artesia detention facility, I flew to Salt Lake City, Utah, where I met a connecting flight to Albuquerque, New Mexico. From Albuquerque, it was approximately a 4 hour drive to Artesia. I shared a rental car and hotel room with another attorney. I spent approximately \$1,500 on travel, rental car and lodging costs during my week in Artesia.

4. I was greatly concerned by what I observed at the FLETC and what women reported to me about their treatment there. I was left with the impression that the aim was to create a difficult detention environment so that women would abandon their claims to stay in the United States and want to go home simply to get away from the facility. Of particular concern were the health issues at the facility. A large share of the women reported that they, or their children, were sick or have regular diarrhea. The women attributed this to the poor food quality at FLETC. Several of the women I met with reported that the facility was serving what appeared to be raw chicken, or at least chicken that was inappropriately cooked and runny with blood. The food was so consistently inedible or likely to cause health problems if ingested that many of the women refuse to eat it any more or to allow their children to eat it. The women who allowed their children to eat the food reported that they became sick. One mother told me that her son cries every day because she refuses to feed him the raw food.

5. Despite the fact that many children have chronic diarrhea and fevers, the mothers I met with consistently told me that the medical clinic at FLETC would only tell the mothers to give their children water to help them get well. In fact, when I was at the FLETC, another attorney on our team observed a child who was so overcome with fever that her skin was incredibly red, almost purple, and the child was limp in the mother's arms. One of the attorneys on our team, [REDACTED], took a statement from this mother about the inappropriate medical care and, only after [REDACTED] got involved, was the child taken to an outside hospital for treatment.

6. I was also concerned by the misrepresentations and coercive statements that immigration officers were making to the women detained at the facility. One woman with whom I met

reported that one of the immigration officers told her that if she fought her immigration case she would be detained at the Artesia facility for at least six months and potentially up to a year. Given the way the FLETC facility is being run, this information is clearly inaccurate and could only have been intended to have a coercive effect. Another woman I met with reported that an ICE officer told her that if she fought her immigration case, the government would take her child away. It goes without saying, how coercive a threat to take a mother's child can be.

7. The women I met with also routinely reported that immigration officials ordered them to sign forms that they did not understand. One woman I spoke to told me that immigration officials just bring the forms around and say "sign this and you'll get to see a judge in 10 days." No further explanation is given. In this case, the form that she was asked to sign was a bond determination form, which was marked to see a judge. However, this woman reported to me that she has been approached more than once to sign forms in this fashion, without being given any additional information on what she was signing.

8. There is very limited opportunity for women detained at the FLETC to get information on their legal rights. Although there is a legal orientation program that is being provided at the facility, one of the attorneys on our team was able to sit in on the presentation, which was woefully inadequate. This attorney reported that the legal rights presentation only addresses U visas and potential immigration relief under the Violence Against Women Act, two types of immigration relief for which women and children who recently arrived in the United States are unlikely to qualify. Critically, the presentation did not include information on asylum, withholding of removal or relief under the United Nations Convention Against Torture, which are three forms of relief for which many of the women with whom I met qualify.

9. There are also no legal books available to the women at the FLETC—either in English or Spanish. We were in the "law library" for our meetings with the detained women and children and there was only a computer. During the week I was there, I never saw any woman or child use the computer. Moreover, women with whom I spoke at the facility told me that they had asked to go to the law library but that facility staff told them that they were not allowed to go there.

10. While I was at the Artesia facility, I also learned of several instances of women not being told that their attorneys were at the facility trying to meet with them until after their interviews with asylum officers or immigration judges were over. In addition, during my team's time at Artesia, I observed that many of the women with whom we spoke had difficulty meeting with us. These women were not being told that there were volunteer attorneys on site who were offering to meet with them free of charge. I personally experienced long delays in getting escorted to the law library to meet with women whom I was assisting. For example, on one occasion, I had to wait at least an hour to get escorted to the detention center. There were other attorneys waiting with me that had court hearings to get to. These delays appear to be chronic—making it difficult for the attorneys to show up to court on time.

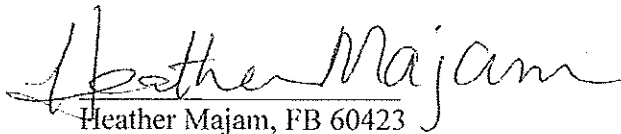
11. One of the women with whom I spoke said that the women at the facility had reason to believe that if they reported the conditions to us, that they would be "punished" by losing their phone privileges.

12. Of the women we met with at FLETC, several had children who were born as a result of a rape. While this factor was key to many of these women's asylum, withholding or Convention Against Torture claims, these women obviously would not state this important fact during their credible fear interviews because their children were with them during the interviews because there was no childcare available.

13. One of the other attorneys, Christina Brown, reported that in one of the credible fear interviews for which she was present, she heard the asylum officer ask the woman whether she "was a member of a particular social group." She ultimately received a negative credible fear review. Obviously this kind of question—which goes to one of the legal standards for asylum—is not appropriate or intelligible to a lay person.

14. Finally, based on the conversations I had with women at the FLETC, I am concerned that some women are not getting reasonable fear interviews if they are subject to reinstatement of removal. I spoke to one woman who told me that she filled out a form and said "I want to stop my deportation, I really can't go back to my country and want to get a chance to tell you why," but she only received a reasonable fear interview one month after she submitted this form, and only after I put in a formal request for it.

Executed this 16th day of August 2014 at Beaverton, Oregon.



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