

DECLARATION OF ARLENE RIVERA

I, Arlene Rivera, 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 York. I currently practice immigration law at The Rivera Law Firm in Las Vegas, Nevada. I have represented clients in immigration proceedings for approximately two years.
2. The Federal Law Enforcement Training Center (FLETC) in Artesia, New Mexico, where the Department of Homeland Security is detaining hundreds of mothers and children, is approximately 800 miles from my law office. I spent over \$1,000 for travel to and from Artesia and expenses during the three days I spent volunteering there. I arrived in Artesia on Sunday, July 27, 2014, and stayed until Wednesday, July 30, 2014.
3. 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.
4. I visited FLETC on two of my three days volunteering in Artesia. On the day I did not visit the facility, I stayed behind to help write briefs and perform other administrative tasks.
5. Upon entering the detention facility, I was escorted to a room that ICE officers had designated as a "law library." The "law library" did not contain any books. It consisted of two desktop computers, two printers, and one copier. These desktop computers did not have internet access. During my time at the facility I did not observe any women using the computers. Further, the printers ran out of toner and were not replaced while I was there.
6. I experienced various difficulties communicating with women detained in the facility. The only space where attorneys were able to meet and speak with the detained women was in the law library. On one side of the law library were two desks that constituted the attorney-client visitation area. Each desk had a five foot high portion of a temporary wall to shield others from view. When there were more than two attorneys present, I met with clients on the floor. The attorney desks were located about 10-15 feet away from the ICE officers and so could easily be overheard by them. ICE officers approached us every hour, even during client meetings, to conduct head counts. In addition to the ICE officers, other detainees and their children (who were with their mothers at all times) could overhear attorney-client conversations, which were supposed to be confidential.
7. The detained women did not understand the process for meeting with the volunteer attorneys. For example, ICE officers incorrectly told them that they must "have an appointment" to speak with an attorney.
8. I was able to meet with approximately six women during my three days at Artesia. In one instance, a woman who was not on our client list approached me. An ICE officer observed this

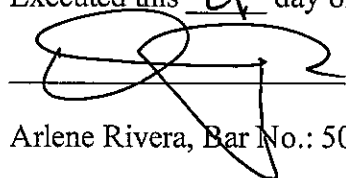
and said sternly to her that she was not “allowed” to speak to me. I told her that she was allowed to speak to me if she wanted to do so and she began to hurriedly tell me the reasons she feared returning to her home country. She explained to me that she had been threatened by gang members because she tried to keep her twelve year old son away from them. She was only able to speak to me for approximately five minutes when an ICE officer told her that she had to leave for her credible fear interview. Approximately 7 to 10 minutes later, after I left the building to board a van to my hotel, I observed the woman exiting her credible fear interview. She was weeping. It was obvious to me that in the short time since we’d talked, she had had her credible fear interview and received a negative finding.

9. In another instance, at another volunteer attorney’s request, I brought a declaration to the facility so that a detainee could sign it. We hoped to submit the declaration in support of a motion to reconsider the detainee’s negative credible fear finding. ICE was unable to find the detainee and told us that we would have to speak with her the following day. Because we feared she might be deported before ICE located her and she had a chance to sign the declaration, we submitted the motion to reconsider without the declaration.

10. The women with whom I met did not receive advance notice of 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.

11. In order to better inform the detainees about their right to consult with an attorney, we attempted to distribute Know Your Rights flyers to detainees. The ICE officers confiscated these flyers and told us not to distribute them further. The women with whom I spoke told me that distributing the flyers would get them in “trouble” and as a result, they did not want to share them. They were expressly told that the flyers were “prohibited”.

Executed this 21st day of August 2014 at Las Vegas, Nevada

A handwritten signature in black ink, appearing to read 'Arlene Rivera', written over a horizontal line.

Arlene Rivera, Bar No.: 5069281

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