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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

Jenny Flores, *et al.*,

Plaintiffs,

v.

Pamela Bondi, Attorney General of the  
United States, *et al.*,

Defendants.

Case No. CV 85-4544-DMG-AGRx

**PLAINTIFFS' RESPONSE TO  
SUPPLEMENTAL JUVENILE  
COORDINATOR REPORTS AND DATA**

Judge: Hon. Dolly M. Gee

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| 2           | R.F.Z. Declaration (Dilley), July 29, 2025 ("R.F.Z. Decl.")     |
| 3           | C.G.V. Declaration (Dilley), July 28, 2025 ("C.G.V. Decl.")     |
| 4           | C.H. Declaration (Dilley), July 28, 2025 ("C.H. Decl.")         |
| 5           | W.M.A. Declaration (Dilley), July 29, 2025 ("W.M.A. Decl.")     |
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### Previously Filed Declarations

| Docket No. | Description                                                                                             |
|------------|---------------------------------------------------------------------------------------------------------|
| 1575-14    | Ex. 12 to CBP MTE, M.M. Declaration (Dilley), May 2, 2025<br>[Doc. # 1575-14] ("M.M. Decl.")            |
| 1584-12    | Ex. 11 to Pls.' Opp'n to MTT, S.L. Declaration (Dilley), May 2, 2025<br>[Doc. # 1584-12] ("S.L. Decl.") |

|         |                                                                                                               |
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| 1584-8  | Ex. 7 to Pls.' Opp'n to MTT, Y.F.A. Declaration (Dilley), May 1, 2025<br>[Doc. # 1584-8] ("Y.F.A. Decl.")     |
| 1584-6  | Ex. 5 to Pls.' Opp'n to MTT, L.J.H.G. Declaration (Dilley), May 5,<br>2025 [Doc. # 1584-6] ("L.J.H.G. Decl.") |
| 1575-27 | Ex. 25 to CBP MTE, L.Q.A. Declaration (Dilley), May 2, 2025<br>[Doc. # 1575-27] ("L.Q.A. Decl.")              |
| 1575-6  | Ex. 4 to CBP MTE, K.V.L. Declaration (Dilley), May 2, 2025<br>[Doc. # 1575-6] ("K.V.L. Decl.")                |
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| 1575-5  | Ex. 3 to CBP MTE, A.L.W. Declaration (Dilley), June 5, 2025 [Doc. #<br>1575-5] ("A.L.W. Decl.")               |



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1           **I.       INTRODUCTION**

2           Pursuant to the Court’s order on July 28, 2025, Doc. # 1614, and in accordance  
3 with Paragraphs 28A and 30 of the *Flores* Settlement Agreement (“FSA”), the Juvenile  
4 Coordinator (“JC”) for U.S. Immigration and Customs Enforcement (“ICE”) and the  
5 Juvenile Coordinator for U.S. Customs and Border Protection (“CBP”) filed their  
6 supplemental 2025 Annual Reports on September 8, 2025. CBP Juvenile Coordinator  
7 Suppl. Report, Doc. # 1648-1 (“CBP JC Suppl. Report”); ICE Juvenile Coordinator  
8 Suppl. Report, Doc # 1648-4 (“ICE JC Suppl. Report”). Both supplemental reports and  
9 their accompanying census data on children held for longer than 72 hours in CBP and  
10 ICE custody confirm Plaintiffs’ concern that CBP and ICE are not in compliance with the  
11 FSA’s requirements.

12           **II.     ICE has not shown compliance with the Flores Settlement Agreement**

13           First, Plaintiffs reassert that family detention is not only cruel and fundamentally  
14 harmful to children but also unjustified. *See, e.g.*, Pls.’ Opp. to Defs.’ Mot. To Amend  
15 Settlement, Doc. # 122; Pls.’ Mot. To Enforce at 15-17, Doc. # 201; Pls.’ Opp. to Defs.’  
16 Mot. To Terminate Settlement at 19-24, Doc. # 1584. The additional information  
17 provided in the ICE JC Suppl. Report is rebutted by class members’ account of detention  
18 conditions and only reinforces Plaintiffs’ serious concerns about ICE’s compliance with  
19 the FSA.

20           **A. Prolonged Unexplained Detention**

21           The Court ordered the ICE Juvenile Coordinator to provide a census of minors held  
22 in ICE facilities for over 72 hours in the months of June and July including “the reason  
23 why each minor was held for more than 72 hours.” Order re July 25, 2025 Status  
24 Conference, Doc. # 1614 at 1. The ICE census data reveals numerous children with  
25 prolonged lengths of detention and little to no justification provided, indicating that  
26 Defendants are not complying with their obligations to release children without  
27 unnecessary delay and make and record prompt and continuous efforts toward family  
28 reunification and release. FSA ¶¶ 14, 18.

1 For example, one young child was detained by ICE for over three months, from  
2 May 3, 2025, to August 7, 2025, and the only reason provided for this prolonged  
3 detention is “Remained in FRC pending CAT process.” ICE July 2025 Census Report,  
4 Doc. # 1648-6 at 19-20. Another young child was similarly held at South Texas Family  
5 Residential Center (“Dilley”) for nearly three months, from May 11, 2025, to August 5,  
6 2025, and the only explanation provided is “Resided at FRC for ER/CF process.” *Id.* at  
7 10. The Court has previously found such vague explanations insufficient to show  
8 Defendants are meeting their obligations under the Settlement. *See* Order re Plaintiffs’  
9 Motion to Enforce, April 24, 2020, Doc. # 784 (“April 2020 Order”) at 15-16 (noting that  
10 ICE’s “spreadsheet does not contain information about flight risk or other factors leading  
11 to a denial of release” and merely states reasons such as “pending IJ hearing/decision” or  
12 “pending USCIS response”).

13 Numerous other children were detained for well over 72 hours with even less  
14 explanation. For example, many children are listed as “booked into the FRC for housing,”  
15 with no other reason given to justify the long length of stay. This includes two children  
16 held for over three weeks—from June 11, 2025, through July 4, 2025. Doc. # 1648-6 at  
17 31; *see also id.* at 26, 28-30, 32. Over a hundred children in the July 2025 census are  
18 simply listed as some variation of “Stayed in FRC prior to removal,” including children  
19 detained over six weeks. *See* Doc. # 1648-6 at 37 (one child listed as detained 5/24/25 to  
20 7/15/25 and another child listed as detained 5/31/25 to 7/16/25); *see also generally* Doc.  
21 # 1648-6. Multiple children are listed as a variation of “Stayed in FRC prior to OREC”  
22 (Order of Release on Recognizance). *Id.* There is no explanation for why the order of  
23 recognizance decision took so much time, even in the case of a child held over seven  
24 weeks. *See id.* at 37 (child listed as detained 5/21/25 to 7/11/25 with reason “Stayed in  
25 FRC prior to release on OREC”).

26 There is no indication in the ICE JC Suppl. Report or the July 2025 ICE census  
27 that ICE is evaluating children’s length of stay for compliance with their *Flores* rights.  
28 Although some class members were released from Dilley “due to 20 day limitation”  
according to the June 2025 ICE census, *see* Doc. # 1648-5, that policy seems to have

1 been stopped as it is not reflected in the July 2025 ICE Census. Doc. # 1648-6. However,  
2 the ICE JC Suppl. Report provides no explanation for this change in policy. Indeed,  
3 despite the Court's order that the ICE JC report include a summary of "how the ICE  
4 Juvenile Coordinator monitors FSA compliance," the report includes no discussion of  
5 how the JC monitors compliance with the FSA's release provisions. Instead, the report  
6 simply cites some general reasons that children may be in custody over 72 hours. *See* ICE  
7 JC Suppl. Report at 10 ("CSO interviews cited administrative and judicial stay reviews  
8 and adjudications as reasons for extended stays."). As in April 2020, "[i]t is unclear . . .  
9 why, given the significantly reduced numbers in custody, 20 days is insufficient time for  
10 screening Class Members when it was sufficient in prior influxes involving far more  
11 people." April 2020 Order at 15.

12 *Flores* counsel monitoring visits have also revealed an alarming increase in  
13 average time in custody. In July, *Flores* counsel met with several children who had been  
14 detained for two or more months. *See, e.g.*, Decl. of K.M. ¶¶ 4, 6 (103 days); Decl. of  
15 G.Z.B. ¶ 4 (49 days); Decl. of R.F.Z. ¶ 4 (53 days); Decl. of C.G.V. ¶ 5 (40 days); Decl.  
16 of C.H. ¶ 4 (77 days). Despite having repeatedly raised this concern with Defendants,  
17 *Flores* counsel observed a continuing trend of increasing time in custody at the most  
18 recent site monitoring visit. Welch Decl. ¶ 21. For example, one family counsel  
19 interviewed at Dilley in September had been apprehended in April and detained in CBP  
20 custody for 16 days before being transferred to the Dilley FRC, where they were detained  
21 for 45 days. The family was released in July and ordered to attend check-ins. At their first  
22 check-in, in August, the family was re-detained and has now been in ICE custody,  
23 enduring their second detention, for 20 days. Welch Decl. ¶ 21.

24 The prolonged lengths of stay reflected on the July 2025 census and confirmed by  
25 Plaintiffs' counsel's most recent site visit to Dilley suggest ICE is routinely holding  
26 families, including small children, for longer than 20 days, without any justification. Doc.  
27 # 1648-6; Decl. of C.H. ¶ 40 ("Many families stay more than twenty days."); Decl. of  
28 W.M.A. ¶ 5 ("I have been detained at this facility for more than 20 days."); Ex. 12 to  
CBP MTE, [Doc.# 1575-14], M.M. Decl. ¶ 26 ("I have been in immigration detentions

1 for almost two months now.”); Welch Decl. ¶ 21. As this Court has found in a similar  
2 context, continued detention for removal when removal is not imminent or “ready to take  
3 place” is a violation of paragraphs 14 and 18 of the FSA. *See* April 2020 Order at 13-14.  
4 Additionally, continued detention of class members, even where the child has a final  
5 removal order, is a violation of FSA paragraph 14 unless ICE has provided an  
6 individualized assessment which determines continued detention is necessary for safety  
7 or because of a flight risk. *Id.* at 17-18.

8 The July 2025 ICE census also reveals unexplained prolonged detention of  
9 children in hotels that appear to violate the Court’s September 4, 2020, and September  
10 21, 2020, order limiting the use of hotels to “*brief* hotel stays (not more than 72 hours) as  
11 necessary and in good faith to alleviate bottlenecks in the intake processes at licensed  
12 facilities.” Order re Defendants’ *Ex Parte* Application to Stay, September 21, 2020, Doc.  
13 # 990 at 5; *see also* Order re Plaintiffs’ Motion to Enforce Settlement as to “Title 42”  
14 Class Members, September 4, 2020, Doc. # 976 at 17 (permitting exceptions “for one to  
15 two-night stays while in transit or prior to flights”). For example, the census indicates that  
16 one unaccompanied child was held in consecutive temporary hotel stays for over two  
17 weeks (from 6/24/25 to 7/11/25 and 7/11/25 to 7/14/25) before taking voluntary  
18 departure. Doc. # 1648-6 at 16. The reason provided is “Remained in ICE custody  
19 pending ORR placement,” even though the census does not reflect a transfer to ORR. *Id.*  
20 Multiple children in family units are listed as in hold rooms or hotels for over a week.  
21 *See, e.g.*, Doc. # 1648-6 at 56 (one child detained in hold rooms or hotels between 7/9/25  
22 and 7/18/25 with reason listed as “Continued detention due to immigration proceedings”  
23 and another child detained in hold rooms or hotels between 7/9/25 and 7/17/25 with  
24 reason listed as “Continued detention due to HOH not released”).  
25  
26  
27  
28

1 Plaintiffs' counsel will continue to meet and confer with Defendants<sup>1</sup> regarding our  
2 concern about the egregious lengths of stay and, if necessary, will raise the issue with the  
3 Court.<sup>2</sup>

4 ***B. Conditions of Detention***

5 Children's prolonged lengths of stay in ICE custody are particularly concerning  
6 given the conditions of detention class members face at Dilley. Notably, the ICE JC  
7 Suppl. Report repeatedly states that ICE's standards were modified in light of the "short  
8 length of stay" without acknowledging that many children's stays are anything but short.  
9 ICE JC Suppl. Report at 7-8. In addition, ICE's repeated assertions of compliance with the  
10 FSA are refuted by extensive evidence from Plaintiffs' counsel's four site visits to Dilley  
11 since it opened six months ago. Welch Decl. ¶¶ 12-21. Class members and their families  
12 consistently report serious concerns with Dilley's secure, prison-like environment, the  
13 lack of access to know your rights trainings and free legal counsel, the lack of access to  
14 drinkable water and healthy, varied, child-friendly foods and snacks, the inability of class  
15 members to sleep due to lights kept on in their living areas all night, the lack of access to  
16 hygiene products, the lack of free calls to family members, and inadequate care for acute  
17 emergency medical incidents and children with serious illnesses or disabilities. Welch  
18 Decl. ¶¶ 3, 12-20.

19 *1. Children are kept for prolonged periods in an unlicensed, secure prison-like  
20 environment*

21 Dilley is an unlicensed facility surrounded by a secure metal fence perimeter. Welch  
22 Decl. ¶ 6. Counsel can meet with families only by passing through metal detectors and  
23 several sets of locked doors. *Id.* ¶ 6. There are no family visits at this time for children to

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24 <sup>1</sup> Plaintiffs have requested and attempted to confirm with Defendants that the ICE  
25 Juvenile Coordinator be present at our upcoming meet and confer so that we may raise  
26 our concerns about length of stay and other issues identified in our September monitoring  
27 visit directly with the ICE Juvenile Coordinator as encouraged by the Court. Welch Decl.  
28 ¶ 5.

<sup>2</sup> Plaintiffs did not receive the July 2025 monthly data reporting under FSA ¶¶ 28A and  
29 until Tuesday, September 9, 2025, and have therefore not yet had a chance to discuss  
their data concerns with Defendants.



1 connect with un-detained family members, including parents and primary caregivers. *Id.* ¶  
2 17. Children at Dilley report feeling like prisoners locked up in isolated, cell-like trailers.  
3 Ex. 11 to Opp. To MTT, May 2, 2025 [Doc.# 1584-12] S.L. Decl. ¶ 16 (children are “locked  
4 away” and “isolated”); E.Z.R. Decl. ¶ 6 (“I feel like I am locked up”). Class members  
5 described Dilley as a prison and families have noted that guards refer to them as inmates.  
6 *See, e.g.*, Ex. 3 to CBP MTE, June 5, 2025 [Doc. # 1575-5] A.L.W. Decl. ¶ 8 (“This place  
7 is a prison.”); Ex. 7 to Opp. To MTT, [Doc.# 1584-8] Y.F.A. Decl. ¶ 19; E.M. Decl. ¶ 49;  
8 Ex. 5 to Opp. To MTT, [Doc.# 1584-6] L.J.H.G. Decl. ¶ 13 (“The staff here call us inmates  
9 because it is like a prison.”). Families detained at Dilley are constantly monitored. E.M.  
10 Decl. ¶ 21 (even throughout the night “[t]he guards check on you ever 20 minutes.”);  
11 Y.F.A. Decl. ¶ 10 (“They are constantly coming in the room at all hours of the night.”) S.L.  
12 Decl. ¶ 14; L.J.H.G. Decl. ¶ 17.

13 Living in this restricted, prison-like environment has caused sleep deprivation,  
14 anxiety and regressed behaviors in class members. Y.F.A. Decl. ¶ 11 (“With the lack of  
15 sleep and anxiety, my son is throwing himself against the floor and getting bruises. He  
16 wants to leave so badly that he is having these reactions.”); E.M. Decl. ¶ 49 (“We are not  
17 fine. We all cry every night.”); A.T. Decl. ¶¶ 32-35; Ex. 25 to CBP MTE, [Doc.# 1575-27]  
18 L.Q.A. Decl. ¶ 20 (“[My son] said he doesn’t believe in God anymore because he prays to  
19 him but we still haven’t been able to get out of here.”).

20 *2. Children are not being provided know-your-rights trainings and lack access to  
21 free legal counsel*

22 Contrary to the ICE JC Suppl. Report, children and families at Dilley have  
23 consistently reported that they are not apprised of their rights under *Flores*, including  
24 their right to free legal counsel. Welch Decl. ¶ 13. ICE’s Supplemental report claims staff  
25 “ensured access to free phone calls for contacting legal service providers” ICE JC Suppl.  
26 Report at 6 and “ICE staff provided information on legal orientation programs.” *Id.* at 6.  
27 However, as recently as the September 9-11 site visit and long before then, class  
28 members reported never receiving a know-your-rights presentation, having challenges  
accessing their immigration lawyers, and not being able to call their immigration lawyers

1 for free. Many families who had been at Dilley for weeks were not aware they could  
2 make free legal calls or did not know how to do so. Moreover the list of free legal service  
3 providers are most often in English, stapled on top of Spanish-language versions and  
4 occasionally other languages. Welch Decl. ¶ 13.

5 Notably, on several observed bulletin boards, the small print list of which  
6 languages materials are available in, was posted at the top perimeter of the bulletin board  
7 well above an adult's line of sight. *Id.* ¶ 13. Plaintiffs' counsel did not observe any sign-  
8 up sheets available for legal visits. *Id.* ¶ 13.

9 *3. Children lack access to drinkable water and child-friendly foods and healthy*  
10 *snacks*

11 ICE claims to have resolved issues with accessing water at Dilley by providing  
12 "filtered water in living areas and bottled water upon request." ICE JC Suppl. Report at 2.  
13 However as recently as September 9-11, class members reported that drinkable water  
14 continues to be available only in the cafeteria during mealtimes.<sup>3</sup> Otherwise, bottled  
15 water must be purchased for \$1.21 per bottle at the commissary, which most families  
16 cannot afford. Welch Decl. ¶ 14. The inability of class members to access water they feel  
17 comfortable drinking has been consistent and ongoing since May, and raised as a concern  
18 at every Dilley site visit since then. *See, e.g.,* Decl. of E.R.R. ¶ 11 (From May: "The  
19 water has a bad taste so we don't drink it."); Decl. of E.M. ¶ 28 (From June: "We just  
20 don't trust that the water is cleanly dispensed and sometimes the water really smells bad.  
21 Maybe that is why so many people here are sick."); Decl. of E.O.N.M. ¶ 32 (From July:  
22 "We have all been feeling stomach aches, especially when we drink the water. A lot of  
23 people do not like to drink the water here because it is not good . . . They sell water, too,  
24 but it is so expensive and we cannot afford it. We have never bought it because it is like  
25 \$1.25 for a bottle."). Additionally, the JC Suppl. Report does not address the fact that tap

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27 <sup>3</sup> Plaintiffs' counsel cannot confirm whether or not drinking water in the living areas is  
28 potable, however class members and their families consistently report the water in the  
living areas is "not drinkable" and tastes bad. Welch Decl. ¶ 14.



1 water in class members' rooms "smells so horrible and it looks white and dirty." Ex. 4 to  
2 CBP MTE, [Doc.# 1575-22] [Doc. # 1575-6], K.V.L. Decl. ¶ 19.

3 ICE also claims to have resolved issues with child-appropriate foods and healthy  
4 snacks at Dilley by providing "dietitian-approved meals and snacks, including child-  
5 friendly options." ICE JC Suppl. Report at 2. Yet, class members have continually  
6 reported the food is always the same and there are no toddler-friendly options, leading  
7 many to lose weight or stop eating entirely. *See, e.g.*, Decl. of Y.F.A. ¶ 11 ("They give  
8 the same food here to adults and kids. My son has only eaten 2 days out of the 19 days  
9 because he doesn't like the food."); Decl. of L.J.H.G. ¶ 15 (no food for children at  
10 Dilley); Decl. of I.C.B. ¶ 9 ("My brother doesn't eat anymore, so he needed PediaSure.  
11 My parents had to almost beg the medical staff to give him PediaSure. He doesn't like the  
12 food served here and neither do I."); Decl. of E.O.N.M. ¶ 17 (no allergy  
13 accommodations). Families also repeatedly reported that snacks are limited to red apples,  
14 sugary cookies, milk and apple juice. *See* Decl. of F.J.A. ¶ 14 (only healthy snack  
15 available is apples, which child won't eat anymore). Plaintiffs' counsel tours of Dilley  
16 confirm that the snacks available to detained children are exclusively Teddy Grahams,  
17 apples, milk, and juice. Welch Decl. ¶ 15. While this selection might be appropriate for  
18 short stays of 72 hours or less, children detained at Dilley for weeks or months need other  
19 options. These concerns continued to be reported during Plaintiffs' September visit. *Id.* ¶  
20 15.

#### 21 4. *Children lack access to hygiene products.*

22 The supplemental report further claims "[m]inors were provided with personal  
23 hygiene products." ICE JC Suppl. Report at 5. However, as recently as September 9-11,  
24 class members reported the only thing available for them in the showers is liquid hand  
25 soap. Welch Decl. ¶ 16. Class members must buy necessary hygiene products, such as  
26 shampoo and bar soap, from the commissary. *See, e.g.*, Decl. of W.M.A. ¶ 9 ("I have to  
27 buy soap and shampoo because the soap that's in the showers is the same hand soap that  
28 is at the sink, and it stings my skin."); Decl. of C.G.V. ¶ 19 ("Since I got here, they also  
raised the prices on items for people detained here to purchase. I have to buy shampoo

1 and body soap for my daughter because the soap in the showers is just hand soap and it  
2 irritates her skin.”). The lack of hygiene products is causing medical issues for some class  
3 members. *See, e.g.*, Decl. of K.M. ¶ 34 (“A lot of people here have gotten rashes from the  
4 soap. But if you want to use a better soap or shampoo, you have to buy it.”). Further,  
5 during the September visit, counsel heard that class members received only one tooth  
6 brush and travel-size toothpaste upon arrival at Dilley, but once that ran out they had to  
7 buy more from the commissary. Welch Decl. ¶ 16. The fact that essential items such as  
8 body soap, shampoo, toothpaste, menstrual products, and ChapStick are sold at the  
9 commissary strongly indicates they are not being provided in a timely or adequate  
10 manner for free. *Id.* ¶ 16.

11 *5. Children lack access to visitation or free phone calls to their family members.*

12 Children also have to pay for phone calls to their family, and thus are denied  
13 access to communication with non-detained family members unless they have money.  
14 The Supplemental Report states that “[e]ach minor is provided with a free phone call,”  
15 which as class members have told us, means that they can make one three-minute call  
16 upon entry, but have to pay for any further communication. Welch Decl. ¶ 17. This is  
17 harmful and isolating for children, especially for families without money. Decl. of B.G.R.  
18 ¶ 23 (“When we call my family, like my grandmother, we have to pay to talk to them. We  
19 need money in our account to make the call. Another woman in our room has no money  
20 and my mom is letting her use some of her minutes.”). Additionally, class members  
21 detained at Dilley are receiving no visitation from family or friends. Decl. of M.O. ¶ 30  
22 (“No family or other person can visit me here unless they are a lawyer. No one told me  
23 why.”).

24 *6. Children lack education at Dilley.*

25 The supplemental report admits there is no consistent structured education  
26 available at Dilley and instead children are forced to spend day after day learning only  
27 from “educational packets” and workbooks. ICE JC Suppl. Report at 4. Dilley has been  
28 open for approximately six months and yet there is no indication as to when there will be  
adequate educational services provided to class members. Instead, the JC reports that

1 “ICE *anticipates* issuing a contract modification that will fully implement an education  
2 program that meets all of the Flores requirements.” *Id.* (emphasis added). This is an  
3 inadequate response to concerns that children are bored and spending weeks or even  
4 months in a facility where they have insufficient activity and learning opportunities. *See*  
5 *e.g.*, Decl. of B.G.R. ¶ 16 (“From 9 am -3 pm, there is one hour [of classroom time] for  
6 each age group. There is a one-hour window for 6<sup>th</sup> to 8<sup>th</sup> grades. ... They just give  
7 worksheets or things to draw.”).

8 Many of the children detained at Dilley are missing important educational  
9 milestones and tests and are falling behind in school. Their education cannot be replaced  
10 by an hour of filling out “educational packets.” Juvenile Coordinator Report (Sept. 8,  
11 2025) [Doc. # 1648-4] at 4. Further, children report that the library contains few or no  
12 books in most languages other than English or Spanish and class is conducted in English  
13 or Spanish, leaving children who speak other languages without “[e]ducational services  
14 appropriate to the minor’s level of development,” “English Language Training,” or  
15 “appropriate reading materials in languages” they understand. FSA Ex. 1 ¶ 4;<sup>4</sup> Welch  
16 Decl. ¶ 18.

17 7. *Dilley does not provide adequate care for children with disabilities and is not  
18 equipped to respond to medical emergencies.*

19 For children with mental health needs and disabilities, detention in secure,  
20 restrictive facilities, prolonged separation from their medical care providers, and  
21 interruption of their medical care plans causes dangerous decompensation. Ex. 8 to CBP  
22 MTT, [Doc.# 1584-9], C.M.Z. Dec. ¶¶ 8-9 (“I shared that my son has leukemia, but no  
23 one did anything . . . I am extremely upset because my son was supposed to have an  
24 appointment with the doctor today to see when he needs his next cancer treatmen[t].”);  
25 Decl. of A.D.C. ¶ 9 (“We have been telling the staff that being here is very hard for our  
26 son because of his condition. He is extremely sensitive to smells, sounds and textures.

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27 <sup>4</sup> ICE Family Residential Centers are not licensed, and they do not approach the minimum  
28 standards for licensed facilities set out by the FSA. Yet DHS detains children for periods  
of time the FSA never contemplated for licensed facilities, let alone for unlicensed,  
secure detention.

1 There are no therapies or treatments for him here. We have gone to the doctor several  
2 times, but the options are very limited. For example, since arriving here, our son started  
3 refusing to use the bathroom because of how strong the smells are – the cleaning  
4 chemicals and other smells. When he would go in the restroom, he would throw up.  
5 Because he would not want to go in there, he would hold it and hold it, and then  
6 eventually he would pee his pants.”). Similarly, ICE detention centers are not prepared to  
7 respond to medical emergencies. One child was made to wait over six hours with acute  
8 stomach pain, then was told by a nurse he was fine and should come back in three days.  
9 After he vomited, he was finally taken to a hospital, where staff immediately identified  
10 that he was suffering from appendicitis and rushed him into emergency surgery. Welch  
11 Decl. ¶ 20; *see also* S.L. Decl. ¶ 23 (eight-year-old child waited two hours in excruciating  
12 pain at Dilley medical are before being taken to the ER).

13 ***C. ICE has not adequately explained its modifications to the 2020 Family***  
14 ***Detention Standards and their impact on FSA compliance.***

15 The ICE JC Supplemental Report references modifications to the 2020 Family  
16 Residential Detention Standards made in 2025 “to address operational realities and the  
17 short length of stay for families in residential centers.” ICE JC Suppl. Report at 7. The  
18 report goes on to say that the “modifications did not directly apply to the Flores  
19 Settlement Agreement.” *Id.* It is difficult to evaluate the standards and their modifications  
20 given that Defendants have not shared the specific modifications made. However, based  
21 on the description of modifications to “behavior management” Plaintiffs’ counsel are  
22 concerned this modification does in fact apply to the FSA and its requirement to consider,  
23 for example, children’s particular vulnerabilities as minors. ICE JC Suppl. Report at 8;  
24 FSA ¶ 11. Plaintiffs’ counsel are also concerned that the modification to  
25 “Correspondence and Other Mail” restricts the FSA’s requirements related to family  
26 contact and legal services access by preventing class members who are unable to pay for  
27 calls from having any other means of communication with their family. It may also  
28 restrict class members’ access to legal documents from outside attorneys who are not able  
to travel to Dilley. FSA Exhibit ¶¶ 1.A.11, C(2). Plaintiffs remain concerned that such

1 easy modifications of the standards combined with how little information as to what  
2 modifications are made results in the standards being virtually meaningless.

3 Additionally, the report still does not explain what operational needs are  
4 considered before modifying the standards, how long ICE plans to operate under the  
5 current modifications, or whether ICE intends to further modify the current or previous  
6 standards and in what way. Nor does the report indicate whether ICE intends to  
7 reimplement standards deemed unnecessary for lengths of stay less than 20 days as  
8 children's length of time in ICE custody continues to climb.

9 The ICE JC Supplemental Report only increases Plaintiffs' deep concerns  
10 regarding the safety of children detained by ICE.

11 **III. Lengths of stay in CBP remain very concerning and are in violation of**  
12 **the FSA.**

13 Children must be expeditiously moved out of secure unlicensed facilities under the  
14 FSA, and typically they must be transferred or released from CBP custody within 72  
15 hours. CBP facilities, especially border stations and hold rooms where many families are  
16 now being held, are designed as temporary facilities and are fundamentally unfit to hold  
17 children for any period of time. As the Court recently found, "the physical limitations of  
18 certain CBP facilities (e.g., lack of windows, inability to go outdoors, toilet-flushing  
19 mechanisms) ... underscores precisely why the prolonged times in CBP custody remains  
20 a significant problem." Order re Plaintiffs' Motion to Enforce, August 15, 2025, Doc. #  
21 1638, ("CBP MTE Order") at 13. The Court then ordered that "[b]ecause CBP facilities  
22 are intended only for short-term use, CBP should hold minors in its custody only for the  
23 amount of time DHS reasonably requires to process the minor for release and/or actively  
24 arrange for and complete transport of the minor to a more suitable facility." *Id.* at 14-15.

25 The CBP JC Supplemental Report and census demonstrate that many children are  
26 held for far longer than 72 hours in the jail-like conditions of CBP for no reason other  
27 than awaiting transfer to *other* Department of Homeland Security custody, namely ICE  
28 custody. The June 2025 CBP census reveals that one child was detained by CBP for  
472.23 hours—nearly 20 days—"awaiting transfer to ERO," and another child was held

1 for 351.55 hours—over two weeks—for the same reason. Doc. # 1648-2. This is a clear  
2 violation of the FSA, particularly given that ICE family detention has been open for  
3 nearly six months now. Multiple additional children in June and July were held in CBP  
4 custody for a week or more for the sole reasons that the child is “awaiting transfer to  
5 ERO.” June CBP Census, Doc. # 1648-2 (children held 167.63 hours (7 days), 166.55  
6 hours (6.9 days), 166.2 hours (6.9 days), 156.2 hours (6.5 days)); July CBP Census, Doc.  
7 # 1648-3 (three children held 187.05 hours (7.8 days), child held 178.63 hours (7.4 days),  
8 child held 171.20 hours (7.1 days), 165.72 hours (6.9 days)).

9 Particularly concerning is that the CBP JC Supplemental Report admits that  
10 children are spending extensive periods of time awaiting “repatriation together as a  
11 family.” CBP JC Suppl. Report at 1-2. The CBP census reveals that multiple children  
12 were detained for over 12 days in CBP “awaiting transportation for repatriation/family  
13 unity.” June CBP Census, Doc. # 1648-2 (child held 322.65 hours (13.4 days), three  
14 children held 304.75 hours (12.7 days), two children held 290.98 hours (12.1 days)); July  
15 CBP Census, Doc. # 1648-3 (listing two children with time in custody (“TIC”) of 301.77  
16 hours (12.6 days)). While Plaintiffs do not dispute that repatriation for families “where  
17 there are multiple children who have different countries of birth, or where at least one of  
18 the children is a United States citizen” is complicated and can take time, it is  
19 unacceptable to force children to spend days or weeks in jail-like CBP facilities rather  
20 than in a more suitable facility or an alternative to detention while travel is arranged. CBP  
21 MTE Order at 9, 13; FSA ¶¶ 11, 12.A.<sup>5</sup>

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22 <sup>5</sup> Plaintiffs’ counsel would like to clarify that Plaintiffs are not provided the total number  
23 of children in families detained in CBP custody, nor is such data available publicly –  
24 CBP publicly provides only the number of members of family units encountered, not the  
25 number of children in family units detained. In their monthly data, Defendants provide  
26 only the number of children detained *over 72 hours*. This limitation makes it difficult for  
27 Plaintiffs to adequately convey prolonged detention statistics. In their recent MTE,  
28 Plaintiffs described the percent of children detained over 72 hours who were detained for  
over seven or 14 days, but did not have access to the percentage of all children detained.  
*See* Ex. A. to Declaration of Diane de Gramont at 2-3, June 12, 2025, Dkt. # 1575-4.



Although average time in CBP custody appears to be lower on average, some children are still spending dangerous lengths of time in CBP custody and the CBP JC Suppl. Report describes no changes to practices, and certainly no durable policy changes, that would protect average time in custody increasing once again. Neither does the CBP JC Suppl. Report provide any indication of what, if anything, CBP is doing to remedy the ongoing violations, nor how they will comply with the Court's orders and the requirements of the FSA that they expeditiously process children and avoid prolonged stays in CBP facilities, which all parties agree are not designed for long-term detention.

#### **IV. Conclusion**

Plaintiffs appreciate the opportunity to respond to Defendants' Supplemental JC Reports and will raise concerns addressed in this response with the Court in a motion to enforce if the parties' meet and confer efforts are unsuccessful.

Dated: September 15, 2025

CENTER FOR HUMAN RIGHTS AND  
CONSTITUTIONAL LAW

Carlos Holguín  
Bardis Vakili  
Sarah Kahn

NATIONAL CENTER FOR YOUTH LAW

Mishan Wroe  
Diane de Gramont  
Rebecca Woloizin

CHILDREN'S RIGHTS

Leecia Welch  
Eleanor Roberts

/s/ Leecia Welch

Leecia Welch  
*Attorney for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 15, 2025, I caused a copy of Plaintiffs' Response to Supplemental Juvenile Coordinator Reports and Data to be served to all counsel through the Court's CM/ECF system.

Dated: September 15, 2025

/s/ Leecia Welch  
Leecia Welch  
*Attorney for Plaintiffs*



## TABLE OF EXHIBITS

### Exhibit Index to Plaintiffs' Response to Supplemental Juvenile Coordinator Reports and Data

| <b>Exhibit No.</b> | <b>Exhibit Description</b>                                      |
|--------------------|-----------------------------------------------------------------|
| 1                  | G.Z.B. Declaration (Dilley), July 28, 2025 ("G.Z.B. Decl.")     |
| 2                  | R.F.Z. Declaration (Dilley), July 29, 2025 ("R.F.Z. Decl.")     |
| 3                  | C.G.V. Declaration (Dilley), July 28, 2025 ("C.G.V. Decl.")     |
| 4                  | C.H. Declaration (Dilley), July 28, 2025 ("C.H. Decl.")         |
| 5                  | W.M.A. Declaration (Dilley), July 29, 2025 ("W.M.A. Decl.")     |
| 6                  | E.Z.R. Declaration (Dilley), May 1, 2025 ("E.Z.R. Decl.")       |
| 7                  | A.D.C. Declaration (Dilley), September 9, 2025 ("A.D.C. Decl.") |
| 8                  | A.T. Declaration (Dilley), June 4, 2025 ("A.T. Decl.")          |
| 9                  | E.M. Declaration (Dilley), June 5, 2025 ("E.M. Decl.")          |
| 10                 | E.R.R. Declaration (Dilley), May 2, 2025 ("E.R.R. Decl.")       |
| 11                 | E.O.N.M. Declaration (Dilley), July 28, 2025 ("E.O.N.M. Decl.") |
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| 14                 | K.M. Declaration (Dilley), July 28, 2025 ("K.M. Decl.")         |
| 15                 | B.G.R. Declaration (Dilley), July 29, 2025 ("B.G.R. Decl.")     |
| 16                 | M.O. Declaration (Dilley), July 29, 2025 ("M.O. Decl.")         |
| 17                 | Declaration of Leecia Welch, September 15, 2025                 |

### Previously Filed Declarations

| <b>Docket No.</b> | <b>Description</b> |
|-------------------|--------------------|
|-------------------|--------------------|

|         |                                                                                                            |
|---------|------------------------------------------------------------------------------------------------------------|
| 1575-14 | Ex. 12 to CBP MTE, M.M. Declaration (Dilley), May 2, 2025<br>[Doc. # 1575-14] (“M.M. Decl.”)               |
| 1584-12 | Ex. 11 to Pls.’ Opp’n to MTT, S.L. Declaration (Dilley), May 2, 2025 [Doc. # 1584-12] (“S.L. Decl.”)       |
| 1584-8  | Ex. 7 to Pls.’ Opp’n to MTT, Y.F.A. Declaration (Dilley), May 1, 2025 [Doc. # 1584-8] (“Y.F.A. Decl.”)     |
| 1584-6  | Ex. 5 to Pls.’ Opp’n to MTT, L.J.H.G. Declaration (Dilley), May 5, 2025 [Doc. # 1584-6] (“L.J.H.G. Decl.”) |
| 1575-27 | Ex. 25 to CBP MTE, L.Q.A. Declaration (Dilley), May 2, 2025<br>[Doc. # 1575-27] (“L.Q.A. Decl.”)           |
| 1575-6  | Ex. 4 to CBP MTE, K.V.L. Declaration (Dilley), May 2, 2025<br>[Doc. # 1575-6] (“K.V.L. Decl.”)             |
| 1575-10 | Ex. 8 to CBP MTE, C.M.Z. Declaration (San Diego), March 7, 2025 [Doc. # 1575-10] (“C.M.Z. Decl.”)          |
| 1575-5  | Ex. 3 to CBP MTE, A.L.W. Declaration (Dilley), June 5, 2025 [Doc. # 1575-5] (“A.L.W. Decl.”)               |

# **EXHIBIT 1**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 35 years old and my sons [REDACTED] and [REDACTED] are eleven and five. We are  
5 from [REDACTED]

6 3. I speak Spanish and some English.

7 4. We have been detained at Dilley for 49 days.

8 5. Prior to Dilley, we were at a CBP station in Arizona. While we were there, a CBP  
9 official told me I was a bad mother, and that they would take away my kids and send me  
10 to jail. They didn't tell us anything at CBP about what was happening with our case or  
11 where we were going. After they took us to the airport, the escorts told us we were going  
12 to Dilley, but that they did not have any more information.

13 6. It is hard to know what day it is because we have been at Dilley for so long.

14 7. When we first got here, we were told that due to the new government, our only  
15 option was to be deported. We said we could not return to [REDACTED]. Eventually they told  
16 us they would do a credible fear interview.

17 8. On the third day after we arrived at Dilley, my five-year-old got a bite and they  
18 said it was a mosquito bite. But the next day, he was tired and had a fever. We went to  
19 the hospital, and they put my sons and I in a tiny isolation room. We stayed inside there  
20 for 9 days. They wanted us to stay for 14 days, but I told them it was not okay for all of  
21 us to be in such a small area for that long. They finally let us go when they didn't find  
22 anything in the bloodwork. My son now has scars from all of the sores. He is so upset  
23 about all of it. The isolation was so hard on my kids – even the mental health doctor was  
24 concerned when he came by to speak with us.

25 9. Three days after we got to the hospital, ICE did credible fear interviews. I had  
26 mine at the hospital and my husband had his interview at the facility. Ten days after the  
27 interviews, they said our claim was rejected and that we would be deported back to  
28 [REDACTED]

1 10. Next they took pictures of us for our passports. They said it would take two weeks  
2 to get the passports and another week to arrange for our travel to return to [REDACTED] Four  
3 weeks later, an ICE officer told us they had lost the photos and we would need to get the  
4 photos taken again. We got the pictures taken again on July 18<sup>th</sup> – and they again said it  
5 would take two weeks to get the papers.

6 11. We use the tablets to request an update, but they don't give us any information.  
7 Weeks and weeks pass by. On Sunday, the update we got was that they still haven't even  
8 received the documents.

9 12. I don't understand why some families are able to be released, but we are not. We  
10 would much rather stay in the United States, but we are resigned that we may have to be  
11 deported and find somewhere else to go because it is not safe for us in [REDACTED]

12 13. I am trying to stay as calm as possible here. It is hard at times to see people come  
13 and go, but I am grateful to have a bed, food and a church. We are not starving. What I  
14 am most upset about is this process, the errors, and how long we have been waiting here  
15 without knowing what will happen.

1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 25<sup>th</sup> day  
4 of July 2025, at Dilley, Texas.



CERTIFICATE OF TRANSLATION

My name is Diana Cano and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated:

7/28/2025

*Diana Cano*

# **EXHIBIT 2**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**



1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 11 years old and I am from [REDACTED]

5 3. I speak Spanish and some English.

6 4. I have been detained for 53 days. I remember because we came to the U.S. on the  
7 8<sup>th</sup> of June.

8 5. From the start I didn't like it at this detention center because we did not get to have  
9 breakfast and then we were put in isolation. We could not go to breakfast because we  
10 had to travel all night from the Arizona border and did not get to our room until 5 am.  
11 We slept for four hours until 9 a.m. so we missed breakfast.

12 6. When my brother got sick, I did not like being in the isolation room at the hospital  
13 because we could not go outside. We were there for 9 days. I was sad because I could  
14 not see my father. We could not do anything. My brother was getting a fever. I was  
15 scared about it, and then I was scared that if it was chicken pox it might be contagious.  
16 But then I remembered my mom and I had already gotten the chicken pox – so I was less  
17 scared. But it was bad because we still had to stay in the room.

18 7. I don't want to go to the school at this place anymore because the teacher told me  
19 that every month they start repeating the work from the previous month since new kids  
20 are coming. So if it just repeats - I don't get to learn anything new.

21 8. They started some new rules here that I don't like. One rule is that they take the  
22 balls away from all the kids before 6 pm. That was bad enough but then the other day  
23 they started taking the balls away at 5:40. I don't know why it got even earlier when they  
24 had already been taking them away at 6. After 6 is when we can get together and play at  
25 the gym, but now we cannot even use the balls. A lot of people are leaving the gym  
26 because they want to play with the balls and we are not allowed.

1 9. Another one of the new rules is that we can't kick a ball in the gym. They also  
2 won't let us play outside when it is over 90 degrees – so when can we kick a ball? It is  
3 getting over 90 degrees every day.

4 10. I am starting to eat less of the food because it is very repetitive. It is the same, the  
5 same, the same. I also don't eat the food because sometimes it is too spicy.

6 11. Sometimes I see kids who are sad. Most of the kids don't play because they are  
7 afraid. The officials are very strict at the gym. Right away if they do some small thing  
8 the officials will threaten them that they will get a report written on them.

9 12. There was a little girl playing with a sandbag and she started shaking it. The  
10 officials started to scold at her about it even when she was not doing anything wrong.

11 13. They don't have organized activities except on a holiday like the 4<sup>th</sup> of July. There  
12 is a lady who just started coming to do bingo sometimes and we like that.

13 14. I would like to tell the people who run this place to take away the rule that you  
14 can't kick the ball in the gym.

15 15. I would like to get out of here with my family and be able to register for school and  
16 attend school. In my hometown, they don't support me with fencing. I love fencing and  
17 I want to train in the U.S. because the U.S. wins the gold and silver medals in most of the  
18 competitions.

19 16. My main question is when can I get out of here.  
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1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 29<sup>th</sup> day  
4 of July 2025, at Dilley, Texas.

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CERTIFICATE OF TRANSLATION

My name is Diana Cano and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated:

7/29/2025



# **EXHIBIT 3**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 30 years old. I am from [REDACTED]

5 3. I speak Spanish.

6 4. I am here with my daughter [REDACTED], she is 6 years old.

7 5. We have been at this facility for 40 days. Many families have come and left in the  
8 time we have been here. I do not know why we have been here for so long. We don't  
9 want to go back to [REDACTED], but if they are going to send us back, I don't understand  
10 why it has taken so long.

11 6. Before we were brought here, my daughter and I were living with my mother in  
12 Denver. We came to the United States last year. I enrolled her in school after we arrived.

13 7. When ICE detained my daughter and I, I told ICE I wanted her to stay with my  
14 mother. My mom is basically the only mother she has ever known. ICE said no. I started  
15 crying out of helplessness.

16 8. After arriving here, I submitted a question on the tablet and said that I wanted my  
17 daughter to stay here in the United States with my mother. ICE told me that my daughter  
18 also has a removal order. I've only been able to talk to ICE on the tablets. No one has  
19 talked to me about my case in person. I believe my ICE officer's name is Sollok but he  
20 has not spoken to me personally.

21 9. I have a condition called spondylodiscitis. I had a spinal operation in 2015. I take  
22 Tramadol. I have not been able to take Tramadol since being here, which has caused me  
23 to be in extreme pain. I can't take the other pain medicines because of other medical  
24 conditions I have. The medical staff said I can't get Tramadol here. They did offer me an  
25 injection that they said is similar to Tramadol, and after the first injection, I felt better for  
26 a short period. But the pain came back again. I didn't get another injection for another  
27 week. That was the last time I got an injection, and that was 20 days ago.



1 10. It hurts to walk. I don't want my daughter to see me in a wheelchair, so I don't use  
2 one. My daughter can see that I am in pain and she asks why I'm hurting. But I can't  
3 walk without pain. I usually only get up to walk to the cafeteria and I stay in the room the  
4 rest of the time. My daughter has to stay with me. I've been told she's not allowed to go  
5 with the staff or go alone anywhere. We can't even sit outside for a little bit because the  
6 staff say it's too hot, even though we are almost always in our room.

7 11. I had a dental appointment here on July 10 because I had a hurting tooth that  
8 needed to be taken out. They gave me anesthesia and started working on it. Blood was  
9 coming out of my mouth and my daughter was upset and crying because she didn't know  
10 what was happening. But then they stopped and said they don't have sufficient tools and  
11 that I need to come back in on July 28. I was so confused, and I had pain in my jaw  
12 because of the dental work. I can only chew on one side of my mouth, and my mouth  
13 feels very sensitive.

14 12. My daughter has seen a psychologist every week here. She told the psychologist  
15 recently that she wants to go play with friends, but she can't because her dad can't go out  
16 with her.

17 13. My daughter is suffering here. She wakes up in the middle of the night from  
18 nightmares, and she cries at night.

19 14. She said she wants to go outside to a park, and I have to tell her that we can't. I've  
20 told her to go to the little school that they offer here, but she said it's boring and they  
21 don't teach anything, they just color. And it's only one hour per day. But she doesn't  
22 want to go anymore.

23 15. I asked for new shoes for my daughter a week ago. There's a hole straight through  
24 the shoe, and now my daughter has blisters on her feet. I asked an official about my  
25 request for new shoes and they told me: "That's not my problem."

26 16. She has almost stopped eating entirely because it's not like what she used to eat.  
27 They serve beans every day but she can't eat those because it hurts her stomach. The  
28 menu has not changed and we've been here for 40 days.

1 17. I am feeling anxiety and depression from being here for so long. I've chewed on all  
2 my nails.

3 18. Everything costs money here. It costs \$1.35 or \$1.75 a minute to call a mobile  
4 phone in [REDACTED]. I've heard there are video calls, but my mom hasn't been able to  
5 figure out how to set it up.

6 19. Since I got here, they also raised the prices on items for people detained here to  
7 purchase. I have to buy shampoo and body soap for my daughter because the soap in the  
8 showers is just hand soap and it irritates her skin. I can say it's hand soap because it's the  
9 same soap that's everywhere else in this place. There's no shampoo in the showers.


10 20. We usually only drink water when we buy bottled water. I've heard that the water  
11 is safe to drink, but it smells bad and I'm worried my daughter could get sick from it. I  
12 don't think the water in the big containers is filtered because it smells the same as the  
13 water from the sink in the room.

14 21. There's an orientation video on the computers that we've watched about what we  
15 should receive here, and it's not followed. For example, the video says we should receive  
16 six pairs of pants and I usually only have two.

17 22. I would like to know when we are going to leave this place. No one has paid  
18 attention to our case.



1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 28 day  
4 of July 2025, at Dilley, Texas.  
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CERTIFICATE OF INTERPRETATION

My name is Rachel Smith and I swear that I am fluent in both the English and Spanish languages and I interpreted the foregoing declaration from English to Spanish to the declarant to the best of my abilities.

Dated: \_\_\_\_\_

July 28, 2025



\_\_\_\_\_  
Rachel Smith

# **EXHIBIT 4**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED] ng, declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 33 years old. I am from [REDACTED]. I came with my son [REDACTED] who is six years  
5 old.

6 3. I speak [REDACTED].

7 Entry to Dilley

8 4. I have been detained at the Dilley for 77 days.

9 5. We crossed the border from Mexico into Texas by boat, around May 8, 2025. We  
10 were arrested when we landed on shore. Before I was brought here, I was taken to a CBP  
11 facility in Texas.

12 6. I have never come to the US before.

13  
14 Texas CBP

15 7. We were detained for three days at the facility.

16 8. I was able to use a phone to call a family member but I could not call an attorney.

17 Dilley

18 9. I was able to speak to an attorney when I arrived in Dilley and they asked for an  
19 interview for my son and me.

20 10. I was interviewed by an officer who asked about whether I could return to [REDACTED]. I  
21 didn't feel like we had any chance to tell them why we could not go back.

22 11. They told me I failed.

23 12. I have never seen an immigration judge.

24 13. They told us that they will deport us to [REDACTED], but they did not say when.

25 14. I received an interview because the attorney assisted me to receive it, but after the  
26 interview they told me I failed and that they would try to deport me and my son, but they  
27 didn't tell me anything else.  
28

1 15. There were other fathers and children in the area where we sleep, but they have left  
2 since.

3 16. There are no families with us now.

4 17. There are bunk beds in the room. There is a sink in the room and a phone. We must  
5 pay to use the phone. The calls are very expensive, especially international calls.

6 18. There is a phone in the room but we have to pay to use it. Even if we do not have  
7 money we cannot get a free phone call. The calls are very expensive.

8 19. They come in and out of the room without knocking. Some are polite, but others  
9 barge in without warning us that they are entering.

10 20. They do not turn off the lights at night.

11 21. It is difficult for my son to sleep because of the lights and because it is loud at  
12 night. The staff talk on very loud walkie talkies throughout the night.

13 22. There is no restroom in the room. We can use a public restroom in the building  
14 shared with other families.

15 23. It is cold in the room where we sleep. We get blankets but they took our sweaters  
16 away. We had them before, but about two weeks a staff member came to the room and  
17 asked me to open my closet. When I opened the closet the took our clothes, leaving only  
18 two t shirts, two pairs of pants, and two pairs of boxers. For my son they only left him  
19 with two t shirts, three pants and two boxers.

20 24. We can use the laundry when we need to. We have to wash every day because we  
21 have only two outfits to wear.

22 25. My son and I only get sweatpants, we cannot wear shorts even though it gets very  
23 hot.

24 26. There is no school my son can go to. For kids his age, they just put them in a room  
25 to draw some pictures.

26 27. There is nothing for him to do while we are here. There are no toys for him. There  
27 is a TV, but we cannot understand because they are all in English or Spanish. He has  
28 been here so long, it is terribly boring for him.

28. From 7am until 8pm we are able to leave, but at night the doors are shut to our trailer where we sleep. We can use the washroom but cannot go out or do anything outside.

29. My son fell and scratched his arms. We went to medical to get checked. They just gave him some cream.

30. Currently he has a toothache and they have only given ibuprofen. They did not help him. They didn't tell us what treatment they could give him. They said he had a cavity but they did not help him. It has been more than 20 days and they still haven't told me how they will treat him.

31. My son complains about his toothache every day. Yesterday I asked to see the dentist again but they will only give him ibuprofen.

32. It is very hard for him to eat because his tooth is hurting.

33. We just want to get out of here, but they will not release us.

34. He has no appetite because we are not familiar with the food. I do not know even what it is because there is no food like this where we are from. We eat just enough to survive.

35. There is no bottled water. There is a filter in one place. Only water with the filter is drinkable. Other water you cannot drink.

36. The water with a filter is in the trailer where our room is but not in our room.

37. They give us only very small paper cones to drink from. We cannot put them by our bed or take them outside.

38. I have not been told about my rights or about a case called *Flores*.

39. No one has told me how long we will be here or that there is a maximum number of days that children can be here.

40. Many families stay more than twenty days.

41. There are many children here who have been here 40, or 50, or more days.

42. We have family here in the U.S. My older sister and my wife, my son's mother, live here in the U.S.

1 43. My sister's boyfriend is a citizen. We will live with them when we get out and they  
2 will help care for my son.

3 44. I do not have a passport and they said we cannot get on a plane because of that.

4 45. The embassy would need me to apply in person for a new passport and we cannot  
5 do that. Even then it would take 20 or so days to receive. They said they have gotten me a  
6 new passport and that they have my passport, but I think they were not being truthful.  
7 They never took a picture of me, I never applied for a passport, so how could they have  
8 gotten my son and I a passport?

9 46. We can only email immigration officers, we are not able to email anyone else. We  
10 have a tablet. I tried to send an email to another person but the tablet did not allow me, it  
11 did not go through to the person.

12 47. The interview was about a month ago and still nothing has happened.

13 48. We just want a lawyer to help us, we need to get out of here.  
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1 I declare under penalty of perjury that the foregoing is true and correct. I understand  
2 that I have to tell the truth in this declaration. The interviewer read the declaration  
3 to me and everything in it is true and accurate. Executed on July 28, 2025 at Dilley.

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6 Dated: July 28, 2025  
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DECLARATION OF SARAH KAHN  
REGARDING INTERPRETER CERTIFICATE

My name is Sarah Kahn and I swear that on July 28, 2025, I contacted the professional translation service Jeenie. I spoke with a professional interpreter who confirmed to me that she was fluent in both the English and [REDACTED] languages. I read to this interpreter the declaration of [REDACTED] line by line and the interpreter repeated each line in [REDACTED] to [REDACTED], who responded through the interpreter. I reached out to Jeenie support on July 31, 2025 requesting a certificate of interpretation. On August 7, 2025, I received a message from Jeenie support stating that after several attempts, they were unable to reach the interpreter for her signature.

Dated: August 18, 2025



# **EXHIBIT 5**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 15 years old. I am from [REDACTED]. I speak Spanish.

5 3. I came to the United States in 2023. I went to an immigration shelter, and my aunt  
6 sponsored me. I was only in the shelter for a short time.

7 4. Before I arrived at this facility I was living in Florida with my dad. We are now  
8 detained at the Dilley detention center together.

9 5. I have been detained at this facility for more than 20 days.

10 6. The day we arrived here was my 15<sup>th</sup> birthday.

11 7. My next court date isn't until August 22<sup>nd</sup> but I'm not sure when I'm going to be  
12 able to leave this place.


13 8. My dad and I are in a room by ourselves. Because I'm 15, I have a pass which  
14 means I can walk around the facility without my dad.

15 9. I buy a lot of things from the commissary like Maruchan, popcorn, and soap and  
16 shampoo. I have to buy soap and shampoo because the soap that's in the showers is the  
17 same hand soap that is at the sink, and it stings my skin.

18 10. I have to pay for phone calls to my family. I received a free phone call the day I  
19 arrived, but that was it. There are no more free calls.

20 11. I've met other girls my age here. We all want to leave. It gets really boring here,  
21 and there are a lot of rules. For example, we can't hold hands, hug, or touch each other at  
22 all. That rule applies to all kids, young and old.

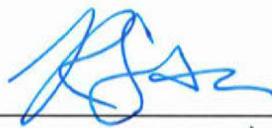
1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 29 day  
4 of July 2025, at Dilley, Texas.



CERTIFICATE OF INTERPRETATION

My name is Rachel Smith and I swear that I am fluent in both the English and Spanish languages and I interpreted the foregoing declaration from English to Spanish to the declarant to the best of my abilities.

Dated: July 29, 2025



Rachel Smith

# **EXHIBIT 6**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 16 years old. I am from [REDACTED]. I speak Spanish.

5 3. I entered the United States around December 2024. I was at the border for a day  
6 before I was transferred to a shelter. I was at the shelter for about two weeks before I  
7 went to live with my mom and my younger brother and sister in Cleveland, Ohio.

8 4. I was in ninth grade at [REDACTED] High School. I am learning English. I had  
9 made friends with some girls at my school.

10 Entry to Dilley

11 5. I woke up one day in April, around 6 AM, and there were agents in our living  
12 room. My mom said they were immigration agents and that we had to go with them. I  
13 remember feeling scared that we were being deported. The agents took us to some place  
14 and then I ended up at this center.

15 6. We have been here for 14 days. I don't know what's going to happen to us. I feel  
16 like I am locked up in a prison.

17 7. The staff doesn't really talk to us here. I have talked to my family members by  
18 phone, but you have to pay for phone calls. I haven't talked to any of my friends. I miss  
19 them a lot.

20 8. I don't eat a lot here and I've lost weight since being at this center. I usually do not  
21 want to eat because I feel so much anxiety.



22 9. There is only one hour of class here each day.

23 10. I really want to leave this place.

24 11. I would like to be a flight attendant when I grow up. I like the idea of being able to  
25 travel around the world.



1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 1<sup>st</sup> day  
4 of May 2025, at Dilley, Texas.

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CERTIFICATE OF INTERPRETATION

My name is Rachel Smith and I swear that I am fluent in both the  
English and Spanish languages and I interpreted the foregoing declaration from English  
to Spanish to the declarant to the best of my abilities.

Dated: May 1, 2025

RJS

# **EXHIBIT 7**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 45 years old. I am from [REDACTED].

5 3. I speak English, Spanish, Portuguese and some French and Italian.

6 4. I came to the U.S. with my family – my wife, our two daughters (19 years old and  
7 16 years old ) and our son (9 years old). We were taken to a CBP facility for about a day  
8 and then driven to Dilley. When we arrived at the processing center, they separated us  
9 from our 19-year-old daughter. She had lived with us all her life and it was very hard for  
10 her to separate from us. We were all crying. They said we had to be separated from her  
11 because she is an adult even though we came here together as a family. It has been awful  
12 since we separated; we have been worrying all the time. It has been especially hard for  
13 our son because he has a strong bond and psychological link with his sister. She is at an  
14 adult detention center, and we have only been able to talk to her two times since we  
15 arrived here.

16  
17 **Dilley Family Detention Center**

18 5. We have been detained at Dilley for 25 days.

19 6. My nine-year-old son is on the autism spectrum. He was diagnosed when he was  
20 around two years old. We saw many specialists including a pediatric neurologist and a  
21 children's psychologist. They helped diagnose our son and prepare a treatment plan.  
22 They said that with proper treatment, he would be able to have a good life and be an  
23 independent man. Before we came here, our son was receiving four different therapies:  
24 behavioral therapy, speech therapy, occupational therapy and physical therapy. He was  
25 having a consult with a neurologist every six months. He had a very stable, structured  
26 life. He was in 2<sup>nd</sup> grade; attended a full school day; and would go to therapy three times  
27 per week. His favorite subject is math, and he reads very well in Spanish and English.  
28 He has special skills in math and can learn math concepts very rapidly.

1 7. When we came here, they did basic intake and we did not receive any special  
2 treatment for our son.

3 8. Our family is living separately. My son is staying with me in one area for fathers  
4 with children and my daughter is staying with my wife in another area for mothers with  
5 children.

6 9. We have been telling the staff that being here is very hard for our son because of  
7 his condition. He is extremely sensitive to smells, sounds and textures. There are no  
8 therapies or treatments for him here. We have gone to the doctor several times, but the  
9 options are very limited. For example, since arriving here, our son started refusing to use  
10 the bathroom because of how strong the smells are – the cleaning chemicals and other  
11 smells. When he would go in the restroom, he would throw up. Because he would not  
12 want to go in there, he would hold it and hold it, and then eventually he would pee his  
13 pants. Some days, I would need to change his clothes five or six times. I needed to ask  
14 for extra t-shirts and pants because I needed to change his clothes so many times a day  
15 and wash them every day. I still need to change his clothes 3 or 4 times sometimes. I am  
16 washing clothes every day.

17 10. When our son was refusing to use the bathroom, they tried to offer us a different  
18 bathroom he could use in the medical area. But that particular room was upsetting to him  
19 because it was near doctors and he worried about getting shots and was fearful.  
20 Eventually, they offered us the option of using diapers. That was hard because he hasn't  
21 needed diapers since he was two. A few days ago, they gave us a pack of diapers and we  
22 are using them at night because he doesn't want to use them during the day.

23 11. Last night, it was really difficult because my son knew he needed to use the  
24 restroom to have a bowel movement, but he did not want to get near the toilet. He was in  
25 the bathroom crying and yelling and hitting himself. He soiled all over his clothing and  
26 his body. Then I needed to try to help him calm down and clean all of the excrement off  
27 of his body and the floor. He was so upset, and it was really heartbreaking to see him  
28 going through that.

1 12. Although they gave me a pack of diapers, they will only give one tablespoon of  
2 diaper cream at a time. That means I have to wait in line or go to the pharmacy at 7 a.m.,  
3 1 p.m., and 7 p.m. to get one tablespoon of cream. He needs the cream to protect his skin  
4 from getting a rash.

5 13. Here there is just a small classroom where kids can go for an hour. We tried to  
6 take our son to the classroom, but he did not like it. It did not meet his learning style –  
7 which is more technology-based than using worksheets. He was bored and they were not  
8 equipped to help him or create a program for him.

9 14. There are not structured activities here – there are just balls or board games kids  
10 can play with. There are not activities that work for my son here at all. The gym has 70  
11 or so people sometimes and it is very loud with a lot going on. When there are so many  
12 people and so much noise, it is not a good environment for little kids or kids with a  
13 condition like my son.

14 15. We have to buy hygiene items for our children at the store. We have to buy  
15 shampoo, toothpaste, toothbrushes, and deodorant.

16 16. Being here has been very hard for our daughter, too, because she was so close to  
17 her older sister. Since we were separated, she's felt very alone. It has also been hard  
18 because my daughter and wife have been living in a trailer with two other families. Our  
19 daughter has been trying to be strong and adapt to the situation, but it is hard to do things  
20 like share a bathroom with strangers or be constantly monitored by staff. She has no  
21 privacy or freedom, and it has been a shock for her. Sleeping is also difficult for her.  
22 She is in the upper bunk and the lights are on all night, so it really disrupts her sleep.  
23 Even with an eye mask, she still sees the light and cannot get good sleep.

24 17. My son and I wake up several times during the night. The light is the biggest issue  
25 for my son. He doesn't like the light on when he sleeps and he constantly turns it off  
26 because he doesn't understand. Then I have to turn it back on because staff won't allow  
27 it. It is also loud because staff are talking on their radios throughout the night, which  
28 wakes us up.

1 18. The secure nature of this facility is also hard for my son. This place is surrounded  
2 by a metal fence. My son is always saying that he would like to go out but of course we  
3 can't cross the fence. We know we are like prisoners here, and we try to help him  
4 understand why his space is so limited. We try to explain to him the limits of various  
5 places, but it is hard for him. There are officers everywhere and they are watching. If we  
6 are doing something they don't like, they are going to come and tell us so we try to do  
7 what we can. It is also hard that there are no trees for shade. Because of his condition, it  
8 is even harder for him to adapt to these limits on his mobility.

9 19. We are not allowed to have water bottles here. We can use the cups in the dining  
10 area or in the living area. One of the officers told me that it was not safe to drink the  
11 water in the living areas and we should use the water in the dining area.

12 20. This morning, we talked to an ICE officer. He said that we were going to be  
13 deported. He did not give us a date but said that we received a negative CAT interview.  
14 At the same time, our 19-year-old daughter received a positive CAT interview. It makes  
15 no sense because the cases are about the same facts. I am an engineer in environmental  
16 science and my wife is a nurse. We are both pastors. My daughters were in college  
17 studying law and psychology. We had a good life but it was no longer safe for us, and  
18 we had to leave quickly. We all fear for our lives if we return to [REDACTED]. Regardless  
19 of what happens, we want to be together with our daughter.

20 21. We are not allowed to have any visitation here. We are allowed to make phone  
21 calls, but it costs about 60 cents a minute to call [REDACTED]. They just gave us a few free  
22 minutes when we arrived, and then everything must be paid for.

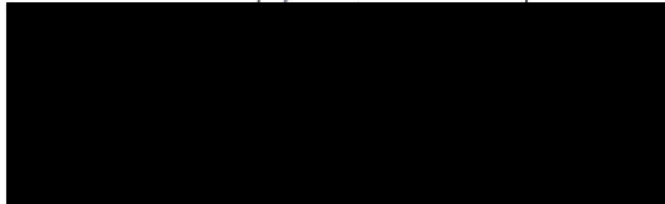
23 22. My wife has shared that children are really suffering who are separated from their  
24 fathers. Last night, she heard a child crying around 1 a.m. When she went to check, the  
25 mom said that it was really hard on her because she was used to sleeping with both her  
26 parents but, here, she is only able to sleep with her mom.

27 23. It is so difficult for my son to be here, and his behaviors have really been  
28 regressing and going back to previous behaviors like when he was a small boy. The need

1 to wear diapers is just one example. We have also seen an increase in tantrums, yelling  
2 and having episodes when he does not get what he wants. This morning as we were  
3 waiting to speak with Flores counsel, he was yelling and throwing the apple sauce  
4 because he was upset about having to leave the library. These are behaviors we haven't  
5 seen for a long time. He always is saying: "When are we going to get out of Core Civic. I  
6 want to go out of Core Civic. Let's take a plane. Let's take a plane." He reads the signs  
7 and that is what he calls it here. He says he wants to go home – he just keeps saying that.  
8 Sometimes, we will just be sitting on the couch and all of a sudden, he will start weeping  
9 and say: "Daddy, let's go home. I want to get out of here." I have to embrace him and  
10 hug him and say "Soon. Soon."



1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 9<sup>th</sup> day  
4 of September 2025, at Dilley, Texas.



# **EXHIBIT 8**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 39 years old. I am from [REDACTED].

5 3. I speak English.

6 4. I arrived in the United States with my three children. [REDACTED] is 13 years old. [REDACTED] is  
7 11-years-old. [REDACTED] is four-years-old. I am also pregnant.

8 5. When we first arrived, we presented ourselves to the authorities. We arrived in  
9 Texas. They took everything from us except our documents and valuables, and they  
10 threw everything else away.

11  
12 Border Patrol Custody

13 6. They drove us to an office. A border patrol place. But in there it's like a prison. It's  
14 a cell. That was a prison. The toilets were in the room. We had four paper blankets at  
15 night. We couldn't see the sun.

16 7. We were there for four days. They gave a toothbrush every day, but we did not  
17 have enough time to brush. Especially because I had to brush my four-year-old's teeth  
18 and my own.

19 8. We were in a cell with other people. At one point there were as many as nine  
20 people in the room. We slept on mats on the floor. They gave us foil sheets for blankets.

21 9. The food was horrible. [REDACTED] could hardly eat anything there. The food was really  
22 dry. It was the same sort of food that everyone else was eating but they labeled it  
23 differently. They gave us grapes that were rotten at the top, so we had to only eat the  
24 bottom part of each grape.

25 10. My kids are usually passive with the environment, but they just had to stay there  
26 too long. They didn't like that there was no privacy to use the toilet. The officers were  
27 sitting there, and I just hoped that they couldn't see. It's really hard because you can see  
28 all the male officers who watch the rooms. There's only a little half door that doesn't

1 really give privacy. [REDACTED] really did not want to use the bathroom. I would just tell them  
2 it's not great but if you have to go you have to go. It was really hard.

3 11. I told them that I need protection. They said I could not ask that there.

4 12. After four days, they told us they would take us to the family detention center.  
5 They said the kids would have more freedom and the kids would be happy there. They  
6 said there would be more families.

7  
8 Arrival at Dilley

9 13. We have been at this facility for about 53 days so far. We got here around the 18th  
10 of April, 2025.

11 14. When I arrived at Dilley, they tried to make me fill out my information for the  
12 Embassy of [REDACTED]. I explained that I am fleeing from my government, so I cannot  
13 give my information to the government of [REDACTED] because it is putting me and my  
14 children in danger. They wanted our information to prepare travel documents.

15 15. I did not provide my information, and they took pictures of my children and just  
16 sent us back to our room. They didn't tell us anything.

17 16. Then one morning, they woke us up at 7 a.m. and said you have an interview. So,  
18 they took us to one of these small rooms and did an interview. That was around May 2,  
19 2025.

20 17. Other residents also told me I could contact ICE through the tablets. So I asked and  
21 someone showed me how to use the tablets to send a message to ICE. There is a limit of  
22 300 words for sending messages on the tablet. You can only send short questions or  
23 information.

24 18. On May 13, I used the tablet to send a message to tell the ICE officer that we had  
25 been here 25 days already, and I have a high-risk pregnancy, and I am anemic and  
26 diabetic, and I really need to get out of here. Then I got a message that said we got a  
27 negative finding, and they were working on processing deportation as soon as possible.  
28

1 19. I panicked, and I said we cannot go back to [REDACTED]. It's very dangerous for us  
2 there. Send us anywhere else, but we cannot go back to [REDACTED].

3 20. When we came, there were no posters on the walls, and they didn't give me any  
4 help to find a lawyer. Most of the useful sites on the internet are blocked. I spoke to a few  
5 lawyers that I was not sure could really help me.

6 21. Later, one of the residents gave the information for Raices. I was finally able to  
7 call them, but it was only after I got a negative result. They had that list of lawyers, but  
8 they never gave it to me.

9 22. At one point I signed up for mental health appointments. The woman who we met  
10 with advised me to ask to speak to my case manager. I didn't really know that was, and I  
11 asked her if we had case managers. She said yes, and said to talk to one of the nice  
12 officers to see who my case manager was.

13 23. Then, another day, I discovered that the [REDACTED] embassy had put our  
14 information—my information and my children's information—on the internet. I was  
15 terrified. I told an officer in our living area who took us to one of the people in charge  
16 here so I could ask about talking to my case manager.

17 24. I asked the woman in charge who my case manager was. She said they used to  
18 have case managers before, but they didn't have them now. She said she was the closest  
19 thing to the case manager here. So I told her my story and what happened and why I was  
20 afraid. She said that it was really sad, and that I should tell the mental health people at my  
21 next appointment and tell her what I was feeling and why I was afraid.

22 25. But before our next mental health appointment, an ICE officer came and said we  
23 were going back to [REDACTED]. They told me the judge cannot help me, my attorney  
24 cannot help me. The decision is not reversible. I told him if you send us there we will not  
25 even get out of the airport. The government will be there to take us.

26 26. Last week, I think on the Tuesday after Memorial day, they took us to the airport to  
27 deport us. I was really unhappy. I could not put my family in danger.  
28

1 27. Before they took us to the airport they promised that I could speak with my  
2 attorney when we get to the airport. But when I got to the airport they refused to give me  
3 that phone call.

4 28. I refused to get on the plane. There was an ICE officer who was trying to trick me  
5 to get on the plane. He told me we were getting on a plane to Ethiopia, and we could go  
6 wherever we wanted after that. He threatened me and said if I did not comply and get on  
7 the commercial plane, he would put handcuffs on me, tie me up, and fly me to [REDACTED]  
8 on a military plane. He was pushing me around the airport. At one point, I just sat on the  
9 floor. I knew if I sat down, he could not push me. The kids were crying.

10 29. The ICE officer told me that if I did not stand up, I would be separated from my  
11 kids and they would take them away from me. They said I would have to go before a  
12 federal judge because it would not be an immigration case anymore, it would be a federal  
13 felony. They made me sign something that said I might have to go to prison and my kids  
14 would be separated from me.

15 30. The kids were sobbing. They said Mommy let's just go. But I said you don't know  
16 what is waiting for you there. We cannot go. One of the officers there told my oldest  
17 daughter, "Do you want to see your mom like that? Get her off the floor" and pressuring  
18 my kids to get me up.

19 31. They finally canceled the flight. They brought us back here. I was surprised they  
20 brought us back here because I had been sure they would separate my children from me  
21 but I could not bear put all of us at risk in [REDACTED]

22 32. Now my kids are not able to sleep. We have been here too long. They usually are  
23 not kids who worry a lot but they are so worried now. [REDACTED] used to sleep on her own  
24 before we got here. Now she can't sleep on her own and she sleeps with me in my bed.  
25 She says she is scared and she misses her dad.

26 33. She just asks for the most basic things. She wants to go to the playground, she  
27 wants a slide. There are not any playgrounds here. She wants a banana. The only fruit we  
28 get here are apples. She wants a lollypop. Simple things.

1 34. [REDACTED] was having nightmares and is having trouble sleeping. She has been having  
2 nightmares for a while. She is really worried about me being arrested and that she and her  
3 sisters will have to go to live with another family.

4 35. [REDACTED] is a very outgoing person, full of life. She's the one that plays and tries to  
5 cheer everyone up. But she is struggling as well, mostly with sleep. She will entertain her  
6 little sister. She says she can't sleep.

7 36. All of my children have been eating less lately. I want them to eat and I encourage  
8 them to eat. But they have been having smaller and smaller portions.

9 37. We talked to the woman who does mental health about the nightmares and she just  
10 said that was normal. She didn't really do anything to help. When we talked about the  
11 children having trouble sleeping she just did a breathing exercise with us and told us to  
12 pray together. It did not help very much.

13 38. I'm not really aware of organized activities for the kids. We plan our days. We go  
14 to the gym, where the kids can play. They have some balls. The kids and I play some  
15 basketball. They have some games, like monopoly. So we play that as a family. On  
16 Memorial day or the day before they did some kind of basketball and football thing with  
17 the kids. On holidays they do some things but otherwise it is up to the parents to take  
18 their kids to the gym or play cards. They have some toys in the gym also. The playroom  
19 has a few toys lying around. My kids make all kinds of things with tissues and cups but  
20 she cries because she is not allowed to take her creations with her. The toys are very  
21 limited.

22 39. My kids go to the hour of school they offer. They hate it, but I encourage them to  
23 go anyway. They say it's really boring and very basic, A,B,Cs and painting for [REDACTED] and  
24 [REDACTED] who are 13 and 11 years old. They go to the same class. Sometimes they give [REDACTED]  
25 a worksheet but it's really easy.

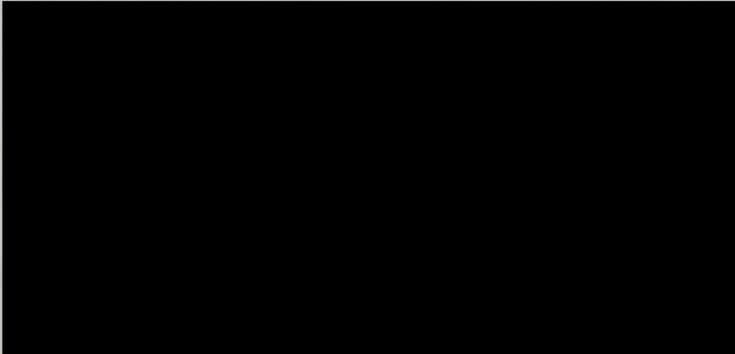
26 40. [REDACTED] spends a lot of time reading. It's hard because a lot of the books in the library  
27 are in Spanish, but we find English books for her.  
28



1 41. They have done two or three holiday celebrations over the almost two months we  
2 have been here. On the holiday celebrations they have given popcorn and that ice drink –  
3 I think they are called sno-cones. Once on one of the holidays they did play music, and  
4 the kids could sing in the microphone. [REDACTED] really wanted to do it and she didn't get a  
5 chance. They haven't done it again since we have been here. They have never done story  
6 time with puppets since we have been here. They have not had any Zumba or dance  
7 classes here. They would love that – they love to dance!

8 42. The kids really need a normal, regular day, with structure and school. We also  
9 share a room with a family who is really not friendly and my kids are really  
10 uncomfortable. She came in and made it clear she did not want to share the space with us.  
11 I let the supervisors know but they did not do anything about it. She is not happy sharing  
12 with us either but the officers will not move her even though she has also asked. She yells  
13 at my kids and is rude to us. I cannot even make our own small space in this place safe  
14 and comfortable for them. It is really hard for me and my kids that I cannot protect and  
15 provide for them the way I want to. It is not a good way to live.

1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 4<sup>th</sup> day  
4 of June 2025, at Dilley, TX.



# **EXHIBIT 9**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 33 years old. I am from [REDACTED].

5 3. I speak [REDACTED].

6 4. I arrived in the United States with my husband, and my two sons, [REDACTED] who is 8  
7 years old, and [REDACTED] who is 10 years old.

8 5. We were waiting in Mexico for many months because we had a CBP One  
9 appointment. But the appointment got canceled before we could have it. The most  
10 devastating thing is that we arrived in Mexico in October of 2024 and the children missed  
11 a whole academic year of school while we were waiting for our appointment. We came  
12 here following the rules, seeking asylum. After our appointment got canceled, we came to  
13 the port of entry at Otay Mesa, and we asked for political asylum. That was around May  
14 7, 2025. They took us into the port of entry, and we stayed there for six days until around  
15 May 12, 2025.

16  
17 Entry to Otay Mesa Port of Entry

18 6. The building where we were held was a big building with metal surrounding it.  
19 Inside, they put me in one room with my two sons. They took my husband to a different  
20 room. We did not see my husband at all for the first day. They only let us see him a few  
21 times while we were there. I think we saw him about four times while we were held there.  
22 We got around 20-30 minutes each time to be with him. Once we got an hour together. It  
23 was really hard to be separated, especially for the children.

24 7. The room had metal benches, and they gave us mats and foil blankets for sleeping  
25 on the floor. There were no toys or games, and no cartoons in the room. There was  
26 nothing for the children to do all day.

1 8. The food was terrible and it had no protein. They gave us instant noodles for  
2 almost every meal. At dinner they gave us a little meat. They did not give us any fruits or  
3 vegetables while we were there.

4 9. We were given one shower while we were held at Otay Mesa. There was not a  
5 shower in that building, so they took us in a car to San Ysidro for the shower. They said  
6 we could go to San Ysidro for a shower once every three days, but we only got to go  
7 once. We did get to see my husband in the car to the showers though, so the children  
8 were happy to see him then.

9 10. They did not let us brush our teeth every day. They gave us disposable  
10 toothbrushes once on some of the days. I think they gave us toothbrushes on four of the  
11 days. The other days they did not give us any toothbrushes.

12 11. There were about three other families in the room and a total of nine people. The  
13 room was about four meters by six meters, or maybe a bit smaller. There was nothing for  
14 [REDACTED] or [REDACTED] to do in that room for six days. They tried to make toys out of the toilet  
15 paper, but when the officers came they just threw the toys away. They took them. There  
16 was nothing to do so our kids just ran around the room and tried to play that way. [REDACTED]  
17 fell while they were playing and hit his chin on the corner of the metal benches. He got a  
18 huge bruise. They gave us a Band-Aid, but the guards scolded us and told us we were not  
19 watching the children. They said if they got injured, we would have to stay at the port of  
20 entry even longer.

21 12. We know of two families where the children were separated from their parents at  
22 the border. We were in Otay Mesa together, but then the parents were separated and sent  
23 to other detention centers and the children were sent to foster care. There was a father  
24 with his son. The father sent to Otay Mesa detention center and the son was sent to the  
25 foster family. We also recently found out that a family we had known in Otay Mesa was  
26 separated, and the parents were sent to a detention center in New York, and their child  
27 was sent to a foster family. The family with a mother and father had consecutive A  
28



1 numbers to our A numbers, so we saw where the parents were sent to detention in the  
2 detainee locator system.

3 13. The guards in the facility also threatened that we would be separated from our  
4 children. My children are still terrified that they will be separated from us.

5 14. After [REDACTED] hit his chin and they got yelled at, both [REDACTED] and [REDACTED] were  
6 terrified. They were just sitting stone-faced, and they were afraid to even move or do  
7 anything in the room. They did not smile for days. They were so afraid they would be  
8 taken away from us.

9 15. Finally, after about six days, they picked us up and took us to the airport. We flew  
10 to Dallas and then to San Antonio. We arrived late at night and stayed at a hotel. When  
11 we arrived, we couldn't change our clothes, even though we had only been allowed to put  
12 on clean clothes once in the six days we were in Otay Mesa. Even though we had our  
13 own clothes packed, we had to wait for three hours until they came with their clean  
14 clothes for us. Then they brought us to Dilley to the family detention center.

15  
16 Entry in to Dilley Family Residential Detention

17 16. We have been here for about 24 days.

18 17. When we arrived they gave each of my sons three t-shirts and three pairs of long  
19 pants which are very hot, so they don't wear them. They each have five pairs of  
20 underwear and socks, and one pair of shorts. One had a rain jacket and the other didn't,  
21 so I gave him mine. They also each have a baseball hat. One person who was here for  
22 about 21 days, had been asking for new pants for their child. The staff did not bring the  
23 new pants to the room until the day after the family had been released and were not there  
24 anymore.

25 18. From the outside it might seem like everything is fine here, but there are so many  
26 hidden pressures and stressors. The rules are constantly changing.

27 19. I am in a room with my two sons. My husband has to sleep in a different room. My  
28 sons and I share a room with other families. They speak Spanish, so it is very hard for us

1 to communicate and come to agreements about sharing the space. Some people are  
2 messier than other people, for example. And we do not have an interpreter who can help  
3 us communicate with each other. It is hard to be in a room together with so many other  
4 families. [REDACTED] and [REDACTED] do not like having to share the room with so many people.  
5 They do not feel comfortable there and they cannot let their guard down because  
6 someone they do not know is always around. And we do not understand what they are  
7 saying, but we hear the word "[REDACTED]" all the time so we assume they are talking about us.  
8 It's very unnerving.

9 20. At first when we realized my husband was sleeping in a different room, [REDACTED] and  
10 [REDACTED] thought we were going to be separated from him forever. They were so afraid, and  
11 they would run to the cafeteria in the morning, every morning, to see if he was there.

12 21. It is impossible to get good rest here. The guards check on you every 20 minutes.  
13 One guard in particular comes into our room every 20 minutes and says exactly the same  
14 sentence. He wakes us up – it doesn't matter if my children are sleeping or I am sleeping.  
15 He comes in and says "Hi my name is [REDACTED]. If you need anything contact me.  
16 I am checking that everything is ok with you." Every 20 minutes. Now it just feels like a  
17 mockery, and he is just coming in to make it impossible for us to get any rest.

18 22. There are also staff and guards walking around at all hours. At night they are  
19 singing loudly or their radios are going off and it is hard to sleep. They will come in and  
20 wake people up if they see through the windows that there is something hanging on the  
21 bed, or if something out of place. We are all so exhausted all the time.

22 23. The rules about showering or using the restroom are very difficult to follow,  
23 especially because they are different for children who are less than 9 years old. I am not  
24 allowed to let my children go anywhere without me, or go to the bathrooms or showers  
25 without me. I have to bring them and wait for them to use the bathroom or to shower. But  
26 boys who are younger than 9 years old are supposed to use the women's bathroom with  
27 their mother, and boys 9 years old and over are supposed to use the men's bathroom. But  
28 if both of my sons have go to the bathroom at the same time, I am supposed to somehow

1 divide myself in two and be with both children in different bathrooms at the same time.  
2 Obviously sometimes we have to break this rule, and the children use the same bathroom  
3 or shower in the same shower room and I wait outside.

4 24. There is an air conditioner that blows hot exhaust air right outside the door of the  
5 men's bathroom where my older son is supposed to shower. I try to stand away from the  
6 hot air a little farther from the bathroom where there is fresher air, but if the guards see  
7 me they yell at me and tell me I have to stand right next to the door in the hot air blowing  
8 from the exhaust.

9 25. When I shower, my children have to come and wait outside the bathroom door.  
10 They are supposed to stand still for 10 minutes. But they are two little boys and they  
11 cannot do that. They get scolded for touching anything or jumping or moving around.

12 26. Once I tried to take a shower after they fell asleep at night just to have 10 minutes  
13 to take a calm shower. But a guard called me in the corridor and said I could not leave my  
14 children in the room even though they were sleeping.

15 27. In the kitchen in the living areas there is a water filter on the tap and that is where  
16 we can get drinking water. But we do not have anything to put drinking water in if we  
17 want to have water outside or in the gym or even at night next to the children when they  
18 sleep. The cups they gave us do not have any tops, and also they are all the same color, so  
19 it is hard to know if someone else drank from it or if it is your water or someone else's.  
20 We tried to buy soda bottles at the store and then when they were empty use them for  
21 water. But some of the guards told us that was not allowed and made us throw them  
22 away. It's very hard to have to go to the kitchen in our living area every time we need  
23 water, because the living areas are quite a walk from the other common areas.

24 28. The water they have in the gym or medical area smells bad and also sometimes  
25 flows over the people's hands who are giving us the water when they press button to  
26 dispense the water. We just don't trust that the water is cleanly dispensed and sometimes  
27 the water really smells bad. Maybe that is why so many people here are sick.  
28



1 29. There is very little to do here for the children. They have classes for one hour a  
2 day, but the other [REDACTED] families have all told me the classes are very basic and not  
3 interesting or age-appropriate. They are really for much younger children.

4 30. Every day there are new rules about what we can do or where we can go. For  
5 example, in the beginning, we could go to the library and stay as long as we wanted. We  
6 could sit at the table and the kids could play computer games and look at books. We  
7 asked for some cartoons, and they could get them for our kids.

8 31. Now the rules are different. The kids can only go to the library to use the computer  
9 for a limited time or take a book out with them when we leave. They do not let us spend  
10 time together in the library. They took out the soft couches and armchairs and rocking  
11 chairs. Now they brought them back but they are just at the entrance, not near the tv. In  
12 the library they also refuse to provide the cartoons my children like now, and they only  
13 put on cartoons no child likes so they leave quickly.

14 32. In the library, we can see that they have pens and pencils for the kids to use, but  
15 when we ask for them they just look at us and say there are not any. But we can see them  
16 there on the shelf.

17 33. Now, each ID card grants someone one hour to use the computer. We arrange it so  
18 that we all go to the library together and let [REDACTED] and [REDACTED] use one hour each to play  
19 computer games, and we all go again after dinner and let them play games for another  
20 hour with my and my husband's computer time, while we sit beside them.

21 34. It is also frustrating because there seem to be different rules for different families,  
22 depending on where you are from. Some families get a lot more freedom, or their  
23 children are allowed to play more, and they don't get scolded. But other families are  
24 treated really badly and yelled at all the time. Their children are scolded constantly. Some  
25 families are permitted much more freedom to go to other people's rooms for the children  
26 to play, or to move more freely between spaces, and others like ours are prohibited from  
27 doing that.

1 35. Now the only place where we can really spend time together any time is in the  
2 gym, but it's very cold inside. We can sit outside in the first half of the day, and again in  
3 the evening, but they won't let us sit outside in the middle of the day when it is too hot  
4 out.

5 36. I am not allowed to hold my husband's hand anywhere. If someone sees me  
6 holding his hand, they give me a warning. Even when he is holding one of our son's  
7 hands, I am not allowed to hold my husband's hand. It is so hard that we cannot even  
8 touch, and all the places we can be together are public. There is no place where we can  
9 hold hands or speak privately to each other about what is happening to us and where we  
10 can share our feelings.

11 37. The only organized activity I have seen or heard about is that one time they did a  
12 movie with popcorn in the gym. That has only happened once. Right now, in this  
13 interview is the first time I am hearing about karaoke or puppets or any other activities.

14 38. It is very difficult to find interpretation here. I cannot speak English very well, so  
15 when the guards speak, I only understand about 40% of what they say. In general, they do  
16 not have translators. They have not given me a translator, and I have not seen people  
17 using mobile devices for translating. The only time I see them using interpretation is if  
18 someone needs medical attention. There is only a stationary phone in the activity room.  
19 When I have asked for interpretation, they have not addressed or responded to my  
20 requests.

21 39. The children have had colds here and have gotten runny noses and coughs. During  
22 one of the times [REDACTED] was sick, he was having trouble breathing at night. His nose was  
23 extremely stuffy, and he would start choking when he was asleep on his back. I knew he  
24 needed a nasal decongestant. But when we went to the medical room, they just weighed  
25 him and took his blood pressure. They did not look at his throat or nose. They gave us an  
26 allergy pill, and when I told the medical staff that he needed something different like a  
27 decongestant, they refused.

1 40. I spent that whole night sitting next to him, turning him and making sure he was  
2 breathing because obviously the allergy pill did not do anything.

3 41. The next day, we were able to go to the doctor, but the doctor just gave him an  
4 allergy pill and pain killers. They gave us some saline for his nose. It didn't help.

5 42. Now it is the second time that my kids are sick, and I don't really see the point of  
6 going to the doctors if they are just going to give the wrong medication and won't give  
7 the kids what they need.

8 43. Things are not clean here. When we see on the cleaning chart that is in the  
9 bathroom that the bathrooms have just been cleaned, the bathroom does not look like it  
10 has been cleaned. The most anyone has done is take out the trash, but there is still hair  
11 everywhere and paper on the floor. There are carpets in many places too and in our  
12 rooms. But they only vacuum maybe once a week. Sometimes we try to sweep the carpet  
13 but that doesn't get rid of the dust. Sometimes staff comes in and spray some antiseptic  
14 on a few spots on the carpet but that doesn't make any sense. I even asked a staff person  
15 if I could use a vacuum to vacuum myself, but they said no.

16 44. [REDACTED] and [REDACTED] are really suffering here. They are being brave, but I can see that  
17 they are suffering. They cry every night. Every night they cry and I cry. It is awful. We  
18 left a life that was good when we were in so much danger that we were forced to leave. If  
19 we could have stayed in [REDACTED] we would have done that.

20 45. My boys have changed. [REDACTED] is not hearing me now, it seems like he is not  
21 hearing me and he just reacts the third or fourth time that I say something to him. The  
22 little one just doesn't listen to us at all. Sometimes they fight with each other or do things  
23 that attract the attention of the guards.

24 46. We get so many warnings, but now I think I just should let them act how they  
25 want. They are just children who are having a hard time. I used reprimand them and scold  
26 them a lot because I thought if we got so many warnings we would never get out of here.  
27 But now I think it won't matter, and I should just let [REDACTED] and [REDACTED] behave how they  
28 are feeling. I don't want to yell at my children anymore. I will just let the officers give

1 them warnings. I want to be loving to them, not yelling at them to behave all the time,  
2 because it is impossible to even know how to behave here.

3 47. When we go to the mental health people here, they just ask if everything is ok. We  
4 went to the psychologist because of my sons' nightmares. Both of them were having so  
5 many nightmares and we were worried. The psychologist did not ask what the nightmares  
6 were about. She didn't check if the boys were thinking about hurting themselves or if  
7 they had had thoughts about wanting to die. She just said the nightmares are normal.

8 48. We see her once a week now, but the meetings just last a few minutes. It seems  
9 like she just needs to write a note that says we're fine, that we ate well, and that we slept  
10 well. She just asks if the nightmares have gone away, but she doesn't offer us any help.  
11 She just told us that the children should participate in activities here. She didn't give any  
12 other advice. She said that what we are going through is normal for the situation we are  
13 in.

14 49. We understand that in principle she is right, it is normal for us because we are  
15 being held in this prison. A prison is not a place for a family or for children. Now we just  
16 say we are eating and things are fine, because nothing has changed, not because we are  
17 fine. We are not fine. We all cry every night.

18 50. We learned just before this interview that we got a negative result on our  
19 immigration interview. Now we have to stay here, locked up, during the whole court  
20 process.

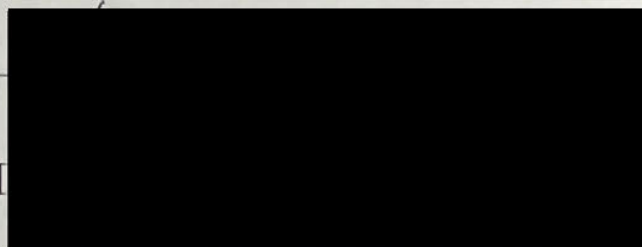
21 51. I do not understand why we have to have to stay locked up here for that process.  
22 We are not hiding, and we did everything we could do follow the proper way to seek  
23 political asylum. We are willing to wear tracking bracelets or do what is needed and we  
24 do not want to skip court. There are a lot of families here that were waiting for their CBP  
25 One appointments and trying to do the same thing, follow the rules, and attend their  
26 appointments.

27 52. It feels so hard to be a good mother here, where there is so much stress and we  
28 have so little control over what happens to us. I am not feeling like I'm a good mother,

1 even though I am doing all I can to be strong for my children and take care of them. They  
2 do not understand why we have to be in this prison. It is impossible to be a good parent in  
3 this place.

4 53. My husband and I want [REDACTED] and [REDACTED] to be able to live freely and have their  
5 childhood. We do not understand why they have to stay locked up here where there is no  
6 school or much to do, especially when they already missed a year of school waiting for  
7 our appointment that was canceled in the end. We just want to have a normal life, nothing  
8 more. [REDACTED] told me that if he could change one thing about this place, it would be that  
9 all the people would be free.

1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 5<sup>th</sup> day  
4 of June 2025, at Dilley, TX.



## CERTIFICATE OF TRANSLATION

My name is Olha Vovchyk and I swear that I am fluent in both the English and [REDACTED] languages and I translated the foregoing declaration from English to [REDACTED] to the best of my abilities.

Dated: 06/05/2025



# **EXHIBIT 10**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**



1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 33 years old and my children are 15 ([REDACTED]), 11 ([REDACTED])  
5 ([REDACTED]), and 8 ([REDACTED]). We are from [REDACTED]

6 3. I speak Spanish.

7 4. We have been detained at Dilley for ten days.

8 5. Before we arrived at this facility we were living in San Antonio. We have been  
9 living in the United States for about a year and eight months. My kids are in 9<sup>th</sup>, 5<sup>th</sup> and  
10 3<sup>rd</sup> grades, and everyone was doing well. It was almost the end of the school year and my  
11 older son was going to have his final exams. They were even going to school on  
12 Saturdays so that they could have more education.

13 6. I got a call from someone who I thought supervised my older son's immigration  
14 case. They said they would like to meet with us, and I thought it was a wellness check  
15 because he had been receiving post release services. They asked if I could come to the  
16 office, but I said I would rather meet at my home. We arranged for them to come by our  
17 house at 4:30 pm. When they arrived, I let them in and they did not identify themselves  
18 as being from ICE. There were three people at first. I started telling them about all my  
19 kids, and they said they only needed information about my older son. After about five or  
20 so minutes, they told us they were with ICE and that I had an order of deportation  
21 because I had missed a court date. They did not show me any documentation; they just  
22 told me that information and then wanted to know which child was which. Soon more  
23 people came. There were three cars of people – all in just regular cars. There was  
24 nothing identifying them as ICE.

25 7. They told us they needed to detain us and that we would be deported. They told us  
26 we could get a little bag of clothes to take with us. They said my older son still had court  
27 dates and could stay, but my younger children and I would be deported. They separated  
28 me and my younger children from my older son and put us in different vehicles. I kept

1 watching to make sure my older son was still in the vehicle behind us. They took us  
2 somewhere in San Antonio. At that office, they asked me if I wanted my older son to be  
3 deported with us or stay and go into State custody. I said I wanted my son to go with us.  
4 Then they drove us to Dilley and we arrived at 2 a.m.

5  
6 Dilley Family Detention

7 8. Last Thursday, we were told by an ICE Agent that we might be able to stay here  
8 until my older son has his court date in January. He also mentioned something about a  
9 fine being an option. The third option was for us to be deported soon. Yesterday I got a  
10 phone call from another ICE Agent, and he asked me again if I wanted my older son to  
11 stay or be deported with us. I asked if he could go with a sponsor, and he said that if he  
12 stayed he would have to go into State custody. The agent then told me that I would need  
13 to sign a form and the form would cancel his court date in January. I have not seen the  
14 form, yet.

15 9. They gave us a book with information about the facility when we arrived at Dilley.  
16 I asked a guard for information to call a lawyer, but the guard said that getting a lawyer  
17 would be a waste of my money. We haven't been given a list of available free legal  
18 counsel for my children.

19 10. If my children want to use the phone, we have to pay for it. Yesterday was the first  
20 time we were able to make a phone call because of the cost.

21 11. My kids are not used to the food here so they aren't really eating much of it. The  
22 water has a bad taste so we don't drink it. I only take a sip when I have my medication,  
23 but otherwise I don't. My kids just drink lemonade when we have the meals. We  
24 haven't had water since we got here.

25 12. We live in Yellow 2. There were other families with us, but right now we are by  
26 ourselves. The lights in the room are kept on all night. They told us since the beginning  
27 that the lights must be left on.



1 13. My two younger children have to be with me at all times. Children twelve and up  
2 can get a pass to move around the facility on their own – so my older son does not have  
3 to be with us all the time.

4 14. My kids have three sets of clothes, but they don't have any shorts. I requested  
5 more clothes for them about four days ago, but we haven't gotten them.

6 15. While we're here, my kids are mainly just going outside to play. There aren't  
7 organized activities. It's pretty much just they can play on their own. They have gone to  
8 the education room a couple times. My daughter mainly just colors. My boys have been  
9 given single worksheets of math or English. In the ten days that we have been here, there  
10 have not been activities like karaoke or movies or snow cones. Such things are definitely  
11 not happening here.

12 16. My main worry is that they don't let us know any information. It is scary not  
13 knowing what is going to happen next.

1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 2<sup>nd</sup> day  
4 of May 2025, at Dilley, Texas.

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CERTIFICATE OF TRANSLATION

My name is Diana Cano and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated:

5/02/2025

*Diana Cano*

# **EXHIBIT 11**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 13 years old. I am from [REDACTED].

5 3. I speak Spanish and a bit of English.

6  
7 Entry to Dilley

8 4. I have been detained at the Dilley Facility for 53 days. I am here with my mom,  
9 dad, and 9-year old sister, but I stay in a room with my dad here. The thing we wish the  
10 most is that we could all stay together the four of us.

11 5. Before I was brought to Dilley, I was living in Los Angeles in California. That had  
12 been my home for about a year and a half. The four of us all lived together. I was going  
13 to school and in seventh grade. I really like math and had good grades.

14 6. On June 4, 2025, we went to an ISAP appointment all together after they sent dad a  
15 message saying to check in. We showed up together and they detained us and did not let  
16 us leave.

17  
18 Dilley

19 7. No one said anything about why we are still here or how long we will be here.  
20 Without that information, we feel hopeless. There is no case manager.

21 8. During the day, the four of us are together and can go to the library and gym, but at  
22 night we are apart. When we first got here I stayed with my mom and sister. But then  
23 after about 15 days they started having me stay with my dad because I am 13. My sister  
24 cried every night after that because she wanted me with her.

25 9. We sleep in a room with bunkbeds that fits 12 people, and the others are all fathers  
26 and sons. In the room there is a television, but because there are so many people in the  
27 room there are some who take control of the remote or don't want it on, so we cannot  
28 watch what we want. There are arguments about that so we stay out of it. I don't know

1 why we all share the room because there are so many other rooms that are empty, and I  
2 wish we could have a private room. I don't know why we can't have a trailer together as  
3 a family when so many are empty.

4 10. My mom said there used to be women in her room who didn't get along. One  
5 woman said something mean to the little girl, and the family asked the staff if they could  
6 stay in another room. But the staff didn't pay attention until they got in a physical  
7 altercation. Then they moved them.

8 11. Whenever I need to go to the bathroom, I have to go with my dad, or else they will  
9 yell at us. The same thing happens to my sister and her mom.

10 12. I feel so bored. I don't want to be here. I feel depressed and do not eat much.

11 13. It's hard to sleep because the lights are always on. If you put a blanket over your  
12 face in bed to not see the light, the staff will come in the night and pull it off. I don't  
13 know why, but the officers come in all throughout the night and slam the door. They  
14 don't speak, but the slamming doors and loud walkie-talkies keep us up. The ones outside  
15 in the hall watching also talk and laugh loudly and that makes it hard to sleep.

16 14. If you need to use the bathroom at night you need to go outside. Since I cannot be  
17 allowed alone at night, if my dad has to go, I have to get up and if I have to go, he has to  
18 get up.

19 15. The food is the same every day, so when you smell it it's the same each time and it  
20 starts to smell really gross and make you not want to eat.

21 16. My mom is diabetic and everything is with white rice, potatoes, and wheat. She  
22 doesn't have options that are good for her with diabetes and its stressful.

23 17. It's really hard for my dad and sister, because they are allergic to red meat, but  
24 sometimes there is only red meat and they cannot have anything other than the salad.

25 18. It's really hot outside and they don't let us go outside when it's hot. It's the case  
26 almost every day. But most of the time they require us to stay inside in the gym or our  
27 room. Even when it is nice out they will say that we cannot be outside or separated from  
28 our family at any point, so we have to just stay inside together. In the evening they will



1 sometimes give us 30 minutes outside, but they require us to be in our room by 8 pm,  
2 which means we cannot go out during the coolest times of day.

3 19. If it's hot out and we are sitting in the shade outside they will tell us that if we do  
4 not go inside, that they will give us a report and write down that we do not follow rules.

5 20. They make us stay inside, but in the rooms and gym it is cold. We ask them to turn  
6 the AC so it is not so cold, but they said that no, and it is ICE rules that it be cold, so we  
7 feel cold all the time in there. We only get two pants, three shirts, one sweater, and then  
8 you have to wash them every day, but then things get lost in the machine. If a shirt gets  
9 lost you have to request a new one but when that happened to my dad, it took 15 days  
10 from the request to get a new one. My mom's shoes broke three days ago, so that the  
11 bottom no longer works. She asked for new ones, but they haven't given them.

12 21. We were told that they would only keep us here 20 days, but now they are keeping  
13 us so long. It's been 53 days.

14 22. I don't understand why there are people like us that ICE says are going to be  
15 deported but then ICE still keeps us here. Some people get deported right away, but  
16 we've been here so long. We can't stand being here anymore, because it has been so  
17 many days.

18 23. My mom has been going to the psychologist because she cannot sleep. She has so  
19 much stress and stays up all night. The psychiatrist told her she could give me medicine  
20 to sleep, but she is worried about taking that sort of medicine.

21 24. My parents are not allowed to hug or hold hands here and that makes me sad.

22 25. I have never gone to the school here. My sister has gone and was really bored.  
23 They didn't teach English, but some math in English, and it was only for an hour.

24 26. The school I went to before this was so nice. I learned a lot.

25 27. Here during the day, I go to the gym where I can be from 8 am to 8 pm or the  
26 library which I can only be in from 8 am to 11 am. In the library I can be on the computer  
27 for one hour and there are some books to read. The gym used to be nice because you used  
28

1 to be able to play all day, but recently they started taking balls away at 6 pm, and it feels  
2 strict.

3 28. I cannot go to all the places I want to go. I cannot go to my sister and mom's room.  
4 I have a pass though and can sometimes go to the gym and library without my dad,  
5 though I can never be in the room or cafeteria without him. My sister is too young to get  
6 one and has to be with her mom always. There is a fence around the whole place, and it  
7 makes me feel bad because it has been so many days.

8 29. We have had trouble with some officials who sometimes treat us badly, including  
9 the little kids. They sometimes speak badly to the parents or children, and my dad doesn't  
10 even like to talk to them because they are so aggressive. There was a small boy who  
11 accidentally hit a staff member with a ball he was playing with and the staff member  
12 yelled "pendejo" at him in front of the other parents. The boy was trying to apologize and  
13 started crying. Parents reported him and I have not seen him again. They should treat  
14 people better here because we are children. This isn't a prison just for adults. My parents  
15 asked if they have trained them to be able to deal with children. They said yes, but the  
16 behavior we see concerns my parents.

17 30. In the morning there are times when we see rattlesnakes here. I have seen multiple.  
18 We are very scared that the snakes are going to bite a young child, and we have seen the  
19 staff kill one that was angry and put a bucket over another.

20 31. We also saw a wasps nest and the wasps circulated the area. We had to stay away,  
21 so someone could fumigate it.

22 32. We have all been feeling stomach aches, especially when we drink the water. A lot  
23 of people do not like to drink the water here because it is not good. We are only allowed  
24 to drink from the filtered water, and the staff tell us that we cannot drink the water from  
25 the sinks because it is bad. But even when we drink the filtered water we all get stomach  
26 aches. They sell water, too, but it is so expensive and we cannot afford it. We have never  
27 bought it because it is like \$1.25 for a bottle.  
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1 33. There is a pitcher for 12 people in the room, and it is not enough, so we have to fill  
2 it up all the time. Also, when people have a water bottle and try to refill it, the staff take it  
3 away and say they cannot. My dad once went into an empty room that has a pitcher and  
4 tried to bring it back so we would have more to fill up because his thyroid condition was  
5 acting up and he felt sick. But the officials took it back, so we are only allowed one  
6 pitcher.

7 34. We did not have very much cash when we got here, and we have had to spend it on  
8 the commissary soap, because the soap in the showers has given us an allergic reaction. It  
9 is the same as the hand soap in the showers and there is no shampoo. But because our  
10 body is more fragile than our hands it makes us really itchy and covered in hives. When  
11 we use the soap from the commissary our skin is fine, and same with others, but people  
12 who use the soap in the shower have those hives. The shampoo costs \$4 and the soap  
13 costs \$3.

14 35. What we need more than anything is to get out of here. They are taking so many  
15 people here, they keep coming and there are so many people like us that have been here  
16 two months. There is no barber, and our hair is getting so long. People will not recognize  
17 me when I get out.

18 36. My parents are so worried for me that we are not studying or able to do anything to  
19 support our future here.

20 37. Our stomachs hurt a lot at night. That's part of what keeps my mom up especially.  
21 We buy Pepto-Bismol from the commissary.

22 38. My dad has a thyroid condition for which he needs to take medication. My mom  
23 thinks it is worse because of the food here. We have to get up at 5:15 am to go to the pill  
24 line. I did not want to get up that early, so my dad asked if he could take it at 7 am  
25 instead. The doctor said the condition was getting worse here.

26 39. I see psychologist that I see every 8 days. She asks if I ate or slept and then tells  
27 me to come back.  
28

1 40. We also feel like the bathrooms are really dirty, and need to be cleaned more. My  
2 dad says that when he was separated from me he had to use a really dirty bathroom for  
3 the fathers kept apart.

4 41. We cannot make calls here much because we do not have money. My grandma  
5 said to stop calling because we cannot afford it. They say it costs about \$10 cents a  
6 minute, but it costs way more than that. My mom called a friend who lives in the United  
7 States and it was \$5 for a couple calls to her. It's way more if it's abroad, you can spend  
8 \$5 in a quick call. The tablet calls are even more, so we have never done it because we  
9 cannot afford it.

10 42. We are not allowed to make a free call to our family. We were only allowed to  
11 make a free call for five minutes one time when we got here. It is a lie if they say we can  
12 make free calls to our family because we have not been allowed.

13 43. Also, it costs money to send a message on the tablet. My mom does not have any  
14 money in her account so we have been trying to ask questions to ICE through the tablet  
15 and it says it cannot send because of the money. It just shows that \$0.00 and prevents it.  
16 Anyone saying that is free is lying. My dad was able to send the message when he had  
17 \$1.00 to ask the status of his case and if we would we get deported soon because we are  
18 suffering so much in detention. The response that he got is that they are waiting for the  
19 response from the judge.


20 44. No one is allowed to visit us here.

21 45. We received the page that had the number of various legal organizations and got in  
22 contact with RAICES. We have not been able to call our lawyers for free, because we  
23 have no money and cannot call RAICES. When my dad called them, it cost money. When  
24 we say to the officers we want to call RAICES, they don't let us.

25 46. No one has talked to us about *Flores* here, except the RAICES lawyers.

26 47. There are people who feel unsafe here. Especially, people who have been here  
27 really long time have started to become unstable. There was a man who broke the  
28 television and window.

1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 28 day  
4 of July, 2025, at Alley



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## CERTIFICATE OF TRANSLATION

My name is Eleanor Roberts and I swear that I am fluent in both the English and  
Spanish languages and I translated the foregoing declaration from English to  
Spanish to the best of my abilities.

Dated: 07/28/2025

Eleanor Roberts

# **EXHIBIT 12**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 14 years old. I am from [REDACTED]

5 3. I speak Spanish and a little English.

6 4. Before I was detained, I was living in Bakersfield, CA. My family came to the  
7 United States last year. My brother and I were both in school. He was in first grade, and I  
8 was a freshman in high school.

9 Dilley Detention Center

10 5. I am detained with my 7-year-old brother, [REDACTED], and my parents. My family  
11 has been here for 54 days.

12 6. My mom, brother, and I are in a room by ourselves. My dad has to sleep in another  
13 room. The lights are on at night. At first, it was very hard to sleep because of the lights,  
14 combined with the fact that I didn't want to be here. Also, when the guards are outside of  
15 the rooms at night, their radios are very loud and you can hear everything.

16 7. It bothers it me that I have to go outside to walk to the bathroom because it's hot  
17 outside, or sometimes I'm sleepy. The bathrooms are also very dirty. The toilets are dirty  
18 and the showers have hair on them.

19 8. Being here has affected my little brother a lot. He doesn't sleep well. He cries all  
20 night. Yesterday he had an attack where he would not stop crying from 7pm to 9pm and  
21 he was outside the room crying that he didn't want to go back in and that he wanted to be  
22 free.

23 9. My brother doesn't eat anymore, so he needed PediaSure. My parents had to  
24 almost beg the medical staff to give him PediaSure. He doesn't like the food served here  
25 and neither do I. Sometimes the food is too spicy or it has too many condiments. The  
26 chicken tastes like plastic. Someone I know here broke his tooth eating something here.  
27 The menu doesn't change, so it's something different every day but it's repeated. If I  
28 don't like the food that day, I usually just have bread and water and that's it.



1 10. The tap water in the room tastes bad. I think a bottled water costs \$1.25. We  
2 usually just drink the water in the cafeteria. But you can only go in the cafeteria during  
3 certain times, like 7-8am, 12-1pm, and 5-6pm, so you can't get water from there outside  
4 of those times. And they don't let you bring in your water bottle to the cafeteria to fill it  
5 up with water to take with you.

6 11. There's a psychologist here, but she doesn't help. My parents are not allowed to  
7 express their feelings even though they are in the visit with us. The psychologist said  
8 she's only here to talk to the children. When we talked about my brother crying at night,  
9 she just said not to worry, and that she can't do anything.

10 12. There is not much to do here. I don't go to the school. It's just one hour per day.  
11 The two times I went they just gave out math pages to do. The teacher didn't teach.

12 13. When it's really hot outside, we can only play in the gym, but the gym is freezing  
13 and it's really loud, which I don't like. But I usually stay there all day because the other  
14 option is staying in the room. Sometimes I can go to the library and watch videos on the  
15 computer, but the hours are limited.

16 14. There was a guard who turned on music for us some days on a radio and it was fun  
17 to listen to music. But as of about two weeks ago the guards can't play music for us, and I  
18 don't know why.

19 15. The movies and television here are all in English, so it's boring. There should be  
20 movies in Spanish, and in Russian and other languages for other families who are here  
21 who don't speak English.


22 16. I wish I could use my phone. It's been two months since I've used it. I talk to my  
23 uncle in the United States on the phones here sometimes. It's expensive to call to  
24 [REDACTED], something like \$5 or \$8 per minute—I'm not sure. We haven't done video  
25 calls, but I know those also cost money.

26 17. This is terrible here. I've been waiting here many days. Some people have been  
27 here for three months. It's horrible, horrible, horrible. I don't want to spend more time  
28 locked up here.

1 18. I think we are waiting for a flight to go back to [REDACTED]. But I don't know why  
2 we have been here for so long.

3 19. When I grow up, I would like to be a judge.  
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1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 28 day  
4 of July 2025, at Dilley, Texas.



CERTIFICATE OF INTERPRETATION

My name is Rachel Smith and I swear that I am fluent in both the English and Spanish languages and I interpreted the foregoing declaration from English to Spanish to the declarant to the best of my abilities.

Dated: \_\_\_\_\_

July 28, 2025



\_\_\_\_\_  
Rachel Smith

# **EXHIBIT 13**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 24 years old. I am from [REDACTED]

5 3. I speak Spanish.

6 4. I have been detained at the Dilley detention center for about two weeks since about  
7 July 14, 2025. I am detained here with my four-year-old son. I am a single mother.

8 5. In November 2021, I came to the United States with my son when he was one year  
9 old. We were apprehended by CBP and detained for about seven days in Texas. Then  
10 they released me and told me to report to ICE. When I went to my ICE appointment in  
11 Georgia, they put an ankle monitor on me. I regularly presented myself to ICE for the  
12 next year and never missed an appointment. After about a year, I went to the ISAP office  
13 and they took off my ankle monitor and replaced it instead with an application on my  
14 phone. Through the app, I had to answer a call every 15 days and send photos of myself,  
15 and occasionally appear in person. I always complied with every requirement and made  
16 all my appointments.

17 6. I applied for a work permit with a lawyer and received a work permit. I think this  
18 is based on the fact that I was paroled from custody.

19 7. I also hired a lawyer to for my son to stay in the United States. He had an initial  
20 immigration court hearing scheduled for 2026.

21 8. In June, I got a message on my app to present to the ISAP office. I went to my  
22 ISAP appointment on or about June 4, 2025. They told me I had to buy a ticket and leave  
23 the country in one month, and then they put a new ankle monitor on me.

24 9. About eight days later they called me again. I had not yet bought my ticket,  
25 because I didn't have a valid passport yet. I told the officer who called that I needed to  
26 get my passport. They told me to come to an appointment with ICE.

27 10. Of course I came to my appointment, as I always have. I came with my son. When  
28 I arrived, there were many other women with children.

11. When I saw the ICE officer, they said they were going to deport me. They arrested me and my son, and brought me to Dilley. I was devastated.

Detention at Dilley

12. I've been at Dilley for about two weeks. It is too hard for my son to be here. He's been through trauma, and being detained here is affecting him. I cannot put him through this anymore, so I told ICE I wanted to go out of detention and I am willing to sign my removal.

13. I'm waiting for my son's next immigration court hearing on August 8, 2025. I think they must have moved up his court date. I don't know what will happen at that hearing. But my little boy can't stay here any longer.

14. My son doesn't eat the food here. I have to buy him cereal from the commissary, because it is the only thing he'll eat. In the evenings, sometimes he asks me for more to eat, but the only healthy snack available is apples. He won't eat them anymore and asks for different things, and it breaks my heart I can't give it to him

15. I don't go outside much because it's so hot, and the change of temperature from the heat outside to all the inside areas that are so cold makes a lot of kids sick.

16. We live in a dormitory area now with bunk beds. But my little boy prefers to sleep on the floor, because the beds are not comfortable. My son also misses his home and his things. He always says to me, "Mama, boom, vamonos," meaning he wants to get out of here right now. Like any other four-year-old, he wants his own bed, his own blanket, and his toys. He cries for these things a lot.

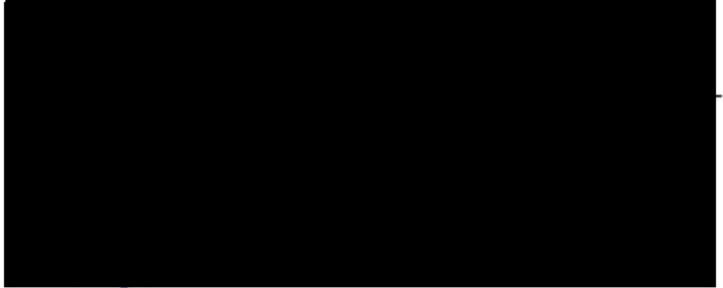
17. Before they arrested me, I was in the process of seeing pediatricians in Georgia to see why it was my son doesn't talk much. I thought maybe he was traumatized from our journey to the United States. The doctors told me to see a psychologist, but I never got the chance because of my arrest.

18. I wish I could give my son the life he deserves here in the United States. Things were going well for us here, and I was doing everything the immigration agencies asked of me. I do not know why they had to change their minds about me and take everything

1 away from us, after giving us hope for so many years. I didn't do anything to make them  
2 change. I thought if I kept doing what they asked, they would give me and my son a  
3 chance here. But I can't take this detention for him anymore. He needs to be outside of  
4 here to have his life back. I am just so sad for him all the time.



1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 28<sup>th</sup> day  
4 of July 2025, at Dilley, Texas.



CERTIFICATE OF TRANSLATION

My name is B. ASVKILI and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: 7/28/25

  
[Name]

# **EXHIBIT 14**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 34 years old. I am from [REDACTED]

5 3. I speak [REDACTED].

6 4. I have been detained at Dilley detention center since May 4, 2025. I am detained  
7 here with my husband and daughter, who is 6 years old.

8 5. We arrived at the United States by car and presented ourselves at the Otay Mesa  
9 port of entry on about April 15, 2025. My husband was driving. We immediately told the  
10 border official that we requested political asylum and gave them our passports. After a  
11 few hours keeping us in the car, they brought us into the Otay Mesa port of entry  
12 building.

13 Detention at Otay Mesa Port of Entry:

14 6. They detained us at the Otay Mesa port of entry for 18 days, until May 3, 2025.

15 7. The conditions at Otay Mesa were a nightmare. I was held in one cell with my six-  
16 year-old daughter, while my husband – her father – was held separately. For the first six  
17 days, in the cell my daughter and I were in, there was also a mother and daughter from  
18 Belarus. They left after six days, and then my daughter and I were alone for another five  
19 days. After that, more people came and it got more crowded in our cell. I believe the  
20 maximum number was 15 of us. But that didn't last long, because one girl had autism and  
21 screamed a lot, so they moved her out of our cell. The rest of the time it was about 12  
22 people, including three boys. The oldest boy was 11, he came on the 11<sup>th</sup> day. About a  
23 day later, two more families came in – two mothers with boys.

24 8. At Otay Mesa, CBP agents never took us outside at all, other than for showers in  
25 another building every few days. We were barely even allowed to leave the cell: other  
26 than the few shower trips, they only brought us out of the cell to a dining area for food.

27 9. There were no windows in the cells at Otay Mesa. When we were in the cell, we  
28 barely could tell if it was nighttime or daytime. On the wall, the thermostat had a clock

1 that showed if it was am or pm – that is the only way we could know if was day or night.  
2 My husband said his cell did not even have that. When he was in his cell, he never knew  
3 if it was day or night.

4 10. The cell had one toilet, which was blocked by only a low half wall. If people  
5 wanted to use the bathroom, others could see. It was very awkward going to the bathroom  
6 for all of us, especially the children, and especially when there were a lot of families in  
7 the cell.

8 11. It wasn't possible to flush the toilet yourself. It could only be flushed from the  
9 outside. We had to knock on the door, and the officers would not always come right  
10 away. My husband told us there was one day in his cell, when nobody came to flush the  
11 toilet for the whole night until the next day. There were 17 people in the room at that  
12 moment, and he said the smell was unbearable.

13 12. There was no soap in our cell to use after the bathroom. The last week we were  
14 there, there must have been an inspection coming or something, because they started  
15 letting us use the soap in the office bathroom and even put a soap dispenser there just for  
16 us. But then when that ran out, they did not replace it. Maybe the inspection was over.

17 13. They didn't give us toothbrushes. After a few days, they gave us something like a  
18 sponge on a stick, but we couldn't really brush our teeth with it.

19 14. There were no showers, and they did not let us shower for the first four days, when  
20 they drove us to another building called San Ysidro to shower. After that, they brought us  
21 to San Ysidro for a shower about every three days.

22 15. Depending on the mood of the officer, we were sometimes not allowed to use a  
23 comb when we asked. After a shower, for women and little girls with long hair, that can  
24 be so awful because our hair gets so tangled.

25 16. There were times at Otay Mesa when our daughter and I would not see my  
26 husband for two days. She is six years old and cried a lot when we were there, missing  
27 her father. It was also difficult for me, not being able to help her.  
28

1 17. Sometimes they brought my husband on the shower trip to San Ysidro, but  
2 sometimes not. When we were two families in our cell, they took us all together with the  
3 Belarusian family, including both fathers. But when more families were there after our  
4 eleventh day, they stopped bringing my husband on the same shower trip.

5 18. When they did let my daughter and I visit with my husband at Otay Mesa, the  
6 length of our visit with his depended on the officer on shift at the border. Some officers  
7 just took us to the lunch room to see him and gave us only 15 minutes together, which  
8 wasn't even time to finish our food. But there were a couple of nice women who worked  
9 there, and when they were on shift they would let us stay together as a family a bit longer.  
10 One time, one of those nice women let us stay almost the whole day together in the eating  
11 area. I was grateful to her for that. My daughter was happy to be able to see him.

12 19. Sleeping at Otay Mesa was difficult and uncomfortable. They gave me and my  
13 folding beds with thin mats to sleep on, and a foil blanket. My daughter was so cold that  
14 she had difficulty sleeping.

15 20. The lights were on all the time. The cells had those overhead lights like in an office  
16 building. In total, there were eight in our cell. At night, they'd leave two on. If someone  
17 got up to use the bathroom, there was a motion sensor, and all lights turn on and stay on  
18 for about 30 minutes. When our cell was crowded, that made sleeping even more  
19 difficult.

20 21. My husband told us he was only given a mat on the floor and foil blanket, but no  
21 folding bed. After a couple days the foil tore, so my husband asked for a new one, and the  
22 officer told him this is not a hotel. The next day, one of the nice women guards was  
23 working and he asked again, and she gave him a new foil blanket, and also gave him a  
24 folding bed.

25 22. There was a TV in our cell, but they turned it on for us only once. The same nice  
26 female guard who let us spend longer time together as a family, she turned the TV on that  
27 day and put cartoons on a DVD. We asked them to do it other times, basically every day  
28

1 from the very first day we arrived. But the officers usually said it wasn't working, or told  
2 me to "hold on" but then they never turned it on.

3 23. There were no toys, and nothing for my daughter to do. She is six years old, so this  
4 was very difficult for her, and difficult for me as her mother. I tried hard to keep her  
5 happy. We tried to make toys out of toilet paper, like those paper games you put on your  
6 fingers and open and close. But the meaner officers came and scolded us for that, and  
7 would either take them away or throw them away in the trash. When my foil blanket  
8 ripped, we made paper airplanes from them. Again, when the meaner officers came on  
9 shift, they made us throw them away.

10 24. They didn't even let the girls have a hair tie. That's a big problem for little girls  
11 like my daughter, who can get frustrated with their hair in their eyes all the time. I would  
12 use anything I could find to keep her hair back: dry wipes, napkins, toilet paper, threads  
13 we pulled from our clothes, or pieces from my ripped foil blanket. Whenever the officers  
14 saw this, they made us take it out. I even tied my daughter's hair with pieces of my own  
15 hair that I pulled out.

16 25. We never got a phone call while detained at Otay Mesa. On my first or second day,  
17 they offered me a call. I did not say yes, because it had only been one day, and I never  
18 thought I would be there for so long, nobody told me that would happen. After 10 days, I  
19 asked for a call, but they said no, because I had already refused a call and that was my  
20 only opportunity. At some point, I was asking to use the phone every day, and they  
21 always refused.

22 26. The food there was not good for children to eat for a long time, it was just instant  
23 noodles nearly all the time for lunch and dinner, with some chips for snacks. Eventually,  
24 my daughter refused to eat them anymore.

25 27. Water in cell also had an unpleasant smell, so we didn't allow the children to drink  
26 it. So we only drank water at meals, when they gave us a water bottle.

27 28. When we were held at the border, officers told me I was banned from entering the  
28 US for 5 years and to sign my deportation. I refused to sign because I wanted to seek

1 asylum. I am extremely scared I will be persecuted if I am sent back to [REDACTED]. The  
2 officers threatened to put us in prison for 10 years if I didn't sign and that my daughter  
3 would be taken to a foster family. This made me feel so scared, but I cannot agree to go  
4 back to a place I might be killed unless I at least have a chance to apply for asylum here.

5 Detention at Dilley

6 29. We got here to Dilley around May 4, 2025. Here, we at least get to see my husband  
7 every day, which we were so happy about after our ordeal at the border station. The  
8 library here is open from 8am to 8pm, so for a while we were able to spend a long time  
9 there together. But then after a while, they began limiting the hours. Our time became  
10 8am-11:45am for the library, so we don't get as much time together there.

11 30. There's also a gym, and we are allowed to spend time together there, but it is cold  
12 and noisy and a little dangerous for a six-year-old with all the balls sometimes flying  
13 around in an enclosed area. About 20 days ago, they opened a child-friendly zone in the  
14 gym. But then they said it was only for kids under four, and they wouldn't let my  
15 daughter play there because she is six.

16 31. One problem here is the heat and cold. When it's too hot, they don't let us stay  
17 outside, so then the gym is the only place we can be together. But the gym is sometimes  
18 loud and crowded, and it can also be very cold. So it is hard to find somewhere to spend  
19 time together as a family. Because we are going from hot to cold all the time, I think the  
20 kids get a lot of coughs. My daughter is sick with a cough right now.

21 32. The rooms we are in have 12 bunk beds, divided into two separated areas. There is  
22 also a common area running the length of the room. Right now, there are only 4 of 12  
23 beds occupied, but we've been here when they are all occupied. They do not turn the  
24 lights off at night here. They leave two lights on in the common room to try to dim the  
25 room. But they give eye masks to sleep, which can help. Some nights, the officers aren't  
26 loud as they walk through the halls. Other officers keep their walkie-talkies loud, slam  
27 doors, and make lots of noise.  
28



33. Some rules are different for everyone. Some kids were allowed to bring in toys and have jewelry. For us, they threw away our toys, earrings, cosmetics and things. We had to buy the replacements at the commissary.

34. We also have to buy water at commissary, because even though they say the water is filtered, it smells bad. One bottle of water costs about \$ 1.21. Coca-cola costs something like three dollars. A lot of people here have gotten rashes from the soap. But if you want to use a better soap or shampoo, you have to buy it. We cannot get a job to make money while they are detaining us though, so we can only spend what we arrived at the border with, which they put into an account for us.

35. The library usually has internet. Each person is allowed one hour per day. Sometimes it works, but often it does not. It was not working today. If it is not working during our limited library time, then we lose our internet time.

36. There are some classes, for one-hour based on age group. Our daughter's class is from 9-10 am. It's not really school, just some activities. We don't go a lot anymore because we've been here a long time so it is not really anything new, and since my daughter doesn't sleep well at night here, it is sometimes too early for her.

37. There just isn't a lot to do for a six-year-old girl, especially since we have been in detention for more than 100 days. There is a small slide, and recently there is another one that is taped-off. The guards say the kids can't go on them because it's too hot. There is TV in the room, but there is only so much TV you can watch.

38. We get sick a lot here, I think because of the hot and cold. My daughter has a cough and runny nose. Every time she gets better, it seems like she gets sick again. We can go to the doctors to check her, but they usually say to just drink water. It seems like they say everything is allergies and give us allergy medicine. Sometimes they tell us we can print out prayers.

39. The food here is ok, but the problem is that the only fruit they give is apples. For instance, if someone wants a banana like my daughter, who loves bananas, we can't have them. That it gets especially hard because staff will sometimes eat near us and have

1 things that the kids can't have, and the children see it and ask us where they got it and  
2 why they can't have it. It's hard on the children.

3 40. Landline phones are available, but the connection is expensive. Right now I can't  
4 recall how much it costs. When you make a call, they tell you the balance on your  
5 account, but not at the end, so you can't know until you make another call. But I do know  
6 it's not cheap.

7 41. Nobody at CoreCivic or ICE has explained my Flores rights to me. One staff  
8 member told me I wouldn't be here longer than 20 days. But we are now in this facility  
9 for almost 90 days. Nobody has explained why we were not released like other families  
10 who were released after 20 days.

11 Attempt to remove us without letting us seek asylum:

12 42. On May 9, 2025, ICE told us we were going to take us to have a conversation, but  
13 then they brought us to an airport, to JFK airport in New York. When we saw that, we  
14 refused to get out of the vehicle and told them we were scared to be returned to [REDACTED],  
15 because we feared the harm that would be awaiting me after I escaped from there. When I  
16 refused, the ICE officer threatened us the same way the Border Patrol officers did – he  
17 threatened to arrest me and separate me from my daughter if I did not agree to be  
18 deported. But no ICE officer had ever looked at any of our evidence or taken us to court  
19 or to have an interview for asylum, before they took us to New York. We are desperate  
20 for a chance to request asylum and be safe. How can I agree to go back to be persecuted  
21 without even a chance to prove my case?

22 43. After this, they called a boss, who decided we should come back to Dilley. They  
23 brought us back May 10.

24 44. We finally did have an interview on May 16, and then it was continued on May 18.  
25 On May 21, they told us we had a negative result over the phone. The next day, they  
26 brought me the papers showing the negative outcome. Using some translation service, we  
27 have noted many errors in the paper. On May 23, they brought us to video court, from a  
28

1 building here in Dilley. The immigration judge on the video screen upheld the negative  
2 determination.

3 45. We've retained a lawyer to seek reconsideration of that determination, which he  
4 filed about two months ago. The court is still considering the request, as far as I know. I  
5 am very helpful we will have an opportunity to seek protection from the United States  
6 and prove our asylum case.


7 46. We've been here so long, it's horrible. This is no way for a child to live.

8 47. We've seen people be released without an interview, like some Iranian families.  
9 Others have been released with a negative determination, including many people from  
10 Asian countries like China.

11 48. We have a US citizen cousin in New Jersey, in U.S. year 20+ years, who want to  
12 sponsor us if we get released. We are just hopeful for the chance.

1 I declare under penalty of perjury that the foregoing is true and correct. I understand that  
2 I have to tell the truth in this declaration. The interviewer read the declaration to me and  
3 everything in it is true and accurate. Executed on this 28<sup>th</sup> day of July 2025, at

4 Alley, Texas.  
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## CERTIFICATE OF TRANSLATION

My name is Olga Kalieva and I swear that I am fluent in both the English and  
[REDACTED] and I translated the foregoing declaration of [REDACTED] from  
English to [REDACTED] on July 28, 2025, to the best of my abilities.

Dated: 08.04.2025  
Name:

# **EXHIBIT 15**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 13 years old. I am here with my mom. We are from [REDACTED].

5 3. I speak English and Spanish.

6 4. We have been detained at Dilley for a week.

7 5. We had been living in Mason, Ohio for four years with my grandma. At first, we  
8 lived close to a hospital because my grandmother has cancer and we needed to take her to  
9 the hospital a lot. We then moved to an apartment and then to a mobile home because it  
10 was more economical.

11 6. My mom did not want to stay in the U.S. anymore. So we drove to Buffalo to go  
12 to Canada to seek asylum. We were able to get to the other side of the border. They  
13 interviewed us but would not let us stay in Canada because we did not have a direct  
14 relative, only a cousin. They brought us to the U.S. border patrol officers and handed us  
15 over to them.

16 7. We stayed in a prison cell in Buffalo near the rainbow bridge border. When we got  
17 there, they took our cat, Mimi, away from us. The Canadians had let us keep her, but the  
18 U.S. border patrol officials would not allow it. They gave us a number to call to get her  
19 back, but when my family called the number, it didn't work and nobody ever picked up.  
20 We lost Mimi forever, and I'm afraid of what might have happened to her at a shelter.

21 8. We spent four days in that Buffalo jail without seeing the sun. We had to ask for  
22 food or to go to the bathroom. They only gave us ramen and trash food that they  
23 microwaved. We had a bad stomach because of that food. One officer was looking  
24 through the window when I was going to the bathroom. My mom did not like that and  
25 she opened the door to shield and protect me, but he said, "You can't do that!" She was  
26 scared because she didn't want to get in trouble.

27 9. It was so cold there and the cots were scratchy. Some blankets would also hurt  
28 when they rubbed against you. We could not sleep there because of all the loud noise



1 when they opened the door. If you turned off the lights, they would open the door loudly  
2 and wake you up. I was feeling really sad there. It was so awful.

3 10. After that, they gave us to these two people who took us to the airport. From New  
4 York, we flew to Colorado and then to Texas. When we landed in Texas, they drove us  
5 about one hour and thirty minutes to here.

6 11. This place feels so weird. It has a lot of people. It's kind of messed up and sad. It  
7 has a park and a gym and a library – but it is really sad. It feels like a sad fake  
8 neighborhood.

9 12. People get in trouble here for anything. For example, you can't touch people. I  
10 got in trouble for touching my mom. The lady said, "You can't touch her." And I said  
11 "But she's my mom." And she said, "You can't touch her."

12 13. Kids who are smaller than me will say "hi" through the windows of the trailers.  
13 But if you wave at people, you can get in trouble from the staff.

14 14. The only thing we like to do is go to the library from 12-3. You can use the  
15 computer for an hour or get books. There's really nothing else other than socialize.

16 15. They have movies at church but there aren't really organized activities.

17 16. There is a classroom that is optional. From 9 am -3 pm, there is one hour for each  
18 age group. There is a one-hour window for 6<sup>th</sup> to 8<sup>th</sup> grades. I went once but no other  
19 kids were there. They just give worksheets or things to draw. I didn't stay because there  
20 was no one there.

21 17. Having breakfast from 6-8 am is hard. I am not waking up for that. Then lunch is  
22 11-1 and dinner is 4-6. Dinner is too early for me.

23 18. They will give us cups to use for water, but they won't give us water bottles  
24 because they say it is dangerous because people have done bad stuff with them.

25 19. After 8 pm, you can't go outside except to use the bathroom. I tried to sit outside  
26 to look at the moon and stars one time, but they wouldn't let me.

27 20. There are six bunk beds in our living trailer. We are in the middle area. There are  
28 four families including us living in the same area.

1 21. It is hard because I like sleeping in the dark, but they keep the lights on in the  
2 living area all night long. They say they need to keep the lights on so they can see who is  
3 inside.

4 22. We had some money when we came here. We have to spend our money just to  
5 have phone calls, deodorant, shampoo, snacks, and essentials.

6 23. When we call my family, like my grandmother, we have to pay to talk to them.  
7 We need money in our account to make the call. Another woman in our room has no  
8 money and my mom is letting her use some of her minutes. It is really sad because that  
9 woman doesn't have anything or any money. She is feeling very sad.

10 24. When we first got here, we had to use hand soap to clean ourselves because that is  
11 all they have in the shower. We had to buy regular soap. We also had to buy a  
12 toothbrush because the one they give you here is not normal and breaks easily. It makes  
13 me sad for families who didn't bring money because they aren't able to buy the normal  
14 essentials.

15 25. There are people here from everywhere. Some people have been here for 70 days.  
16 Some other people in our room were here for like 50 or 60 days. I can't imagine that. It  
17 would be really hard to adapt to that because you can't really do anything here.

18 26. The four days we were in the jail with no contact – my best friend sent me like 100  
19 text messages. When I got here and asked to look at my phone to read through them,  
20 they said no.

21 27. I can't really think about the future right now. I just want to get out of here and  
22 stay in the U.S.

1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 29<sup>th</sup> day  
4 of July 2025, at Dilley, Texas.

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CERTIFICATE OF TRANSLATION

My name is Diana Cano and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated:

7/29/2025



# **EXHIBIT 16**

**REDACTED VERSION OF DOCUMENT  
PROPOSED TO BE FILED UNDER SEAL**

1 I, [REDACTED], declare as follows:

2 1. This testimony is based on my personal knowledge and the following facts are true  
3 to the best of my understanding and recollection.

4 2. I am 33 years old. I am from [REDACTED], and I am here with my 2-year-old daughter  
5 who was born in [REDACTED].

6 3. I speak [REDACTED] and some Spanish.  
7

8 Entry to Dilley

9 4. I have been detained at the Dilley Facility for 42 days with my baby.

10 5. Before I was brought here, I was living in New Jersey for seven months.  
11

12 New York POE

13 6. I was apprehended with other families in northern New York, but all of the other  
14 families were released. I am still detained.

15 7. After immigration apprehended me, they took me and my daughter to a garage  
16 storage area with cars and trucks out front. There were folding beds in an empty  
17 warehouse in the back area to sleep in. I spent one night there. No one else stayed there  
18 but me and the baby, and there were two people supervising me there.

19 8. There was a concrete floor and they gave me microwaved dinner. While I was  
20 there they gave me one diaper at a time to change my daughter and I had to ask for a new  
21 one each time. I had ask to go to the bathroom, and they took me to another building  
22 where the bathroom was.

23 9. While there they had my phone, so I could not make a call.

24 10. Then two people came and took me to an airport and we came here.  
25

26 Dilley

27 11. No one has told me any information about why I am here or how long I will be  
28 detained. No one told me when I will be released.

1 12. My daughter has been feeling constipated while here. It gotten worse since being  
2 here. She has been straining to poop, and unable to go, and I started seeing blood in her  
3 poop. I got here on June 18, and around June 21 we went to the medical area. They told  
4 me the child needed a suppository, and they said they did not have that medication here.  
5 They said it would take 2 days to arrive, but it never did. I went to check and they said it  
6 is not here. No other medication has been provided either. They never gave me any  
7 medical papers or records about this. I still see blood in her poop, and she is still  
8 struggling and crying whenever she poops.

9 13. I have gone back to medical one time when she had a cold and they gave us  
10 medication.

11 14. We sleep in a trailer with 6 bunkbeds. There were 6 families in the room, but right  
12 now one family has left, so not every bed is filled. There are moms with daughters who  
13 are about 4 or 5 and a mom with two sons who are about 5 or 6.

14 15. The boys sometimes play rough with each other, and one time another child hit my  
15 child's head. It was too rough with my child, who is a baby with a fragile head so that  
16 made me concerned.

17 16. I do not feel safe here. I always feel a lot of fear of what might happen to my child.  
18 There are a lot of kids and I cannot control things.

19 17. The baby is really attached to me and does not like to play with other kids.

20 18. There are times we cannot sleep because of the lights being on. The staff say they  
21 must always stay on, but because of this we are not really sleeping. The staff will come in  
22 and out and slam doors. This is especially loud around 6 am. They often will come in if  
23 the child is still awake at night and ask why the child is up.

24 19. They have diapers and wipes and usually give me three at a time. But I have to ask  
25 for new ones each time I run out.

26 20. My daughter takes a bottle and formula, but it was hard to get. At first all I could  
27 use was the milk in a paper box, and it wasn't very good for her. When I asked for  
28 formula at first they did not give me anything and said no because it was only for 0-12



1 month old babies. Other people in the room were getting worried about my daughter  
2 crying and struggling to poop and intervened and asked a female guard who said she  
3 understood. She gave me formula, and now I can ask her for more when I need it.

4 21. When I asked for a bottle for the formula they said they did not have any bottles.  
5 At first my daughter was only allowed a small cup. So, I had to ask the same guard who  
6 understood the formula for the bottle. I don't have a way to get another bottle, so I use  
7 that one each time. There is hot water and soap that I can use to clean the bottle.

8 22. When I first got here, I did not know how things worked. They have three shifts,  
9 morning, afternoon, and night. So, if you ask the morning person, and they are not too  
10 kind, they might not help you. Now I know that I should ask the next shift person because  
11 they might be more kind. Some staff will not help you but other staff will.

12 23. My daughter's shoes are wearing out.

13 24. When it is really hot outside they won't let us go outside, even if we want to. But  
14 then the problem is we have to run to get food and run back.

15 25. When we go to the cafeteria, she will not eat the food because it is too hard. There  
16 is no special food for toddlers; it is the same for everybody. When we are at home I can  
17 blend food for her, but here I cannot. She cannot chew on it to eat it. So, I have to buy  
18 noodles from commissary for about \$1. She is able to eat that whenever I have money.  
19 When I do not have money, the other [REDACTED] families here would buy me noodles  
20 because they were concerned about her not eating.

21 26. One day I went to the psychologist because I was feeling stressed. I felt like things  
22 were crawling inside my head and I was feeling tired all the time.

23 27. All the other families here are in the same boat as me, and sometimes they feel  
24 down, too.

25 28. The water here has a strong smell of bleach. I do not give it to the baby and she  
26 cannot drink it, so I buy a bottle of water to give to the baby. It costs \$1.21. Once she  
27 drinks the bottled water, I have to throw the bottle away. I try to drink the regular water  
28 myself because I do not have enough money to buy my own water. The staff tell us the

1 kitchen water is filtered, so I drink from there and not the bedroom, but it tastes heavy.  
2 The staff here will not drink the water, but we do not have any other choice.

3 29. There is a landline here that you can use from 8 am to 9 pm. It costs some money  
4 for local calls but if you call internationally it is a \$1 per minute. I am charged for all  
5 calls to my family, except for the first five minutes I got when I first got here. I think that  
6 if anyone said we can call family for free, they probably were referring to that one-time  
7 free family call. There are no other free calls.

8 30. No family or other person can visit me here unless they are a lawyer. No one told  
9 me why.

10 31. I saw that there is a list of legal services. I have never been able to get my calls to  
11 through to them. There are six numbers that I dialed but no one picked up. I tried to call  
12 them with the free five minutes I got when I first arrived here. Once you finish that, you  
13 have to pay your for legal calls with your own money.

14 32. No one has spoken to me about my rights since being here. The immigration  
15 officers who were in New York told me that I would not be held more than 20 days, but  
16 it's been over 40 days.

17 33. Since getting to Dilley I have spoken with an ICE agent on the phone, who asked  
18 me what happened in my country, and did a Convention Against Torture interview. They  
19 told me during the interview I could have a lawyer, but did not tell me before it started, so  
20 I did not know until I was doing the interview. Afterwards, they said I am on the list of  
21 people to deport. Now they keep telling me to wait but never give me a date that I will be  
22 deported.

23 34. I used the tablet to ask about how my case is. They told me they are waiting for my  
24 country to accept me to send me and the baby to [REDACTED]

1 I declare under my duty to tell the truth and penalty of perjury that to the best of my  
2 knowledge, all the information I have here given is correct and complete and I understand  
3 the legal consequences of testifying falsely to the authorities. Executed on this 29 day  
4 of July, 2025, at Dille.



CERTIFICATE OF TRANSLATION

My name is Fednel Suprien and I swear that I am fluent in both the English and  
[REDACTED] languages and I translated the foregoing declaration from English to  
[REDACTED] on July 29, 2025, to the best of my abilities.

Dated: 07/31/25

SuprienFednel

# **EXHIBIT 17**

## **DECLARATION OF LEECIA WELCH**

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2 CONSTITUTIONAL LAW  
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14 UNITED STATES DISTRICT COURT  
15 CENTRAL DISTRICT OF CALIFORNIA  
16 WESTERN DIVISION

17 JENNY LISETTE FLORES, *et al.*,

18 Plaintiffs,

19 v.

20 PAM BONDI, Attorney General of  
21 the United States, *et al.*,

22 Defendants.

No. CV 85-4544-DMG-AGR<sub>x</sub>

**DECLARATION OF LEECIA  
WELCH IN SUPPORT OF  
PLAINTIFFS' RESPONSE TO  
SUPPLEMENTAL JUVENILE  
COORDINATOR REPORTS AND  
DATA**

Honorable Dolly M. Gee  
Chief United States District Judge

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**DECLARATION OF LEECIA WELCH**

I, Leecia Welch, declare as follows:

1. I am a Deputy Director of Litigation at Children's Rights. I represent Plaintiffs in the above-titled action. If called to testify in this case, I would testify competently about these facts.

2. In the past six months, my co-counsel and I have conducted monitoring site visits in our role as *Flores* counsel at the South Texas Family Detention Center ("Dilley") on four separate occasions (May 1-2, June 4-5, July 28-29, and September 9-11, 2025).

3. Class members and their parents have consistently reported serious concerns with Dilley's secure, prison-like environment, the lack of access to know your rights trainings and free legal counsel, the lack of access to drinkable, clean-tasting water and healthy, varied, child-friendly foods and snacks, the inability of class members to sleep due to lights kept on in their living areas all night and noisy bed-checks by guards during that time, the lack of access to adequate or sufficient hygiene products and necessary clothing/bedding, the lack of free calls to family members, and inadequate care for acute emergency medical incidents and children with serious illnesses or disabilities.

4. Following the first three site visits, we provided Defendants with a detailed, comprehensive list of these *Flores* violations. We sent Defendants meet and confer letters regarding these violations on May 7, May 16, May 28, June 4, June 20, and August 14, 2025. We are currently preparing a letter regarding our concerns from the site visit last week. As directed by Defendants, we also raised emergency time-sensitive concerns about particular children via email on June 6, June 17, July 30, and August 5, 2025. To date, Plaintiffs and Defendants have met and conferred three times (May 14, May 30, and July 24, 2025) about the *Flores* violations at Dilley identified in our correspondence.



1           5.     Following the directives of this Court during the July 25, 2025 status  
2 conference and August 8, 2025 hearing, Plaintiffs expressly requested in our August 14,  
3 2025 meet and confer letter that the ICE Juvenile Coordinator be included in our next  
4 meet and confer meeting, which is scheduled for September 17, 2025. We reiterated that  
5 request via email on September 11, 2025. To date, we have not received a response from  
6 Defendants regarding whether or not they intend to invite the ICE Juvenile Coordinator  
7 to our call.

8  
9                                   **Dilley is a Secure Facility**

10           6.     Dilley is a 56-acre unlicensed, secure ICE facility located in Dilley, Texas.  
11 The facility is operated under a contract with CoreCivic. The perimeter of the facility is  
12 surrounded by a high metal fence. In the front of the facility, there is a large parking area  
13 for staff and visitors. To enter the facility, visitors must proceed through a locked trailer-  
14 style building. Upon entry, all staff and visitors, including *Flores* counsel, must remove  
15 *all* items from briefcases, purses, and backpacks and load them into plastic bins.  
16 CoreCivic staff then rifle through all items in the bins and identify “contraband” that is  
17 not permitted inside the facility. Examples of “contraband” not permitted in the facility  
18 from our site visits include: crayons, toy fidget-spinners, small fidgets and pop-its,  
19 children’s drawing pads, hand-sanitizer and wipes, lip balm, air pods, Apple watches,  
20 opened water bottles, and more than \$20 in cash. Once all of these items were placed in  
21 metal lockers, we were permitted to go through the facility’s metal detector system.

22           7.     On the most recent site visit, I expressed concern about the new rule that  
23 crayons were not permitted inside the facility. We regularly offer children the chance to  
24 draw, color or doodle during an interview to relieve stress or to keep them busy while we  
25 are speaking with their parent. I informed CoreCivic staff that if our crayons were not  
26 allowed in the facility, CoreCivic would need to be provide us with approved crayons to  
27 conduct our interviews or it would be reported to the Court. After another request to the  
28

1 ICE compliance officer, CoreCivic later provided us with small 4-crayon packets to use  
2 while at Dilley.

3 8. Once through security, we are given badges in exchange for our driver's  
4 licenses. We are then escorted by staff through another set of secured doors to the legal  
5 visitation trailer.

6 9. During our site visits, we spend most of the time in the legal visitation  
7 trailer. There is a large open area where chairs are organized in rows for Dilley detainees  
8 to await their attorney meetings. Along the perimeter of the trailer are about ten legal  
9 visitation rooms equipped with phones, desks, chairs, and tables.

10 10. On each of the site visits, either CoreCivic staff or an acting ICE compliance  
11 office has led a tour of the facility. The grounds consist of 5 living zones for detainees  
12 with rows of beige trailers. There are also soft-sided tents divided by dusty gravel paths,  
13 astroturf areas, and some grass. There are very few trees and only a few structures that  
14 provide shade. Temperatures at the facility are regularly above 95 degrees and the lack  
15 of shade has been a consistent concern. During the tours, we are generally shown only  
16 one of the living zones. We have toured the intake trailer, the medical and medical annex  
17 areas, the cafeteria soft-sided tent, the hard-sided cafeteria building, the library, the  
18 education room, an unoccupied living area (except on the July tour when we were taken  
19 to an occupied living area), a soft-sided tent gym, some outdoor space, the commissary  
20 room, the caregiver room, and the courtroom trailer. The facility has the capacity to hold  
21 2,400 people, but there have not been more than 500 people at Dilley during any of our  
22 site visits.

23 11. Unlike every other site visit I have been on over the past eight years,  
24 Defendants have taken the position that no questions are permitted during the tour. The  
25 tour leaders provide general information about the facility, and we generally walk in  
26 silence while they talk. The information shared on the tour often conflicts with reports  
27 from children and parents. Defendants have directed us to compile our questions and  
28 submit them in writing to Defendants' counsel. We have now submitted three sets of

1 questions and are working on a fourth set to submit with our next meet and confer letter.  
2 The process of keeping notes of our questions, compiling them, attaching them to meet  
3 and confer letters, and talking through the questions with Defendants has taken many  
4 hours. We have repeatedly expressed to Defendants that this process is inefficient and  
5 unnecessarily time-consuming given that most of our questions could be answered easily  
6 and quickly during the tour. The answers Defendants provide are often incomplete,  
7 unsatisfactory, and generally lead to additional questions, most of which could be  
8 answered on site in real time.

9  
10 ***Flores* violations at Dilley**

11 12. Since Dilley opened, we have interviewed approximately 65 families. While  
12 we have seen some improvements at Dilley since it first opened when it was not yet fully  
13 functional, children and parents have consistently raised the same concerns, and we have  
14 repeatedly shared them with Defendants. ICE's assertions of compliance with the FSA in  
15 their supplemental response are refuted by extensive evidence from our interviews with  
16 class members. As summarized above, families have consistently reported concerns  
17 about access to know your rights trainings and free legal counsel, drinkable water and  
18 healthy child-friendly foods and snacks, the inability of class members to sleep due to  
19 lights kept on in their living areas all night and noisy bed-checks by guards during that  
20 time, the lack of access to hygiene products and necessary clothing/bedding, the lack of  
21 free calls to family members, and inadequate care for acute emergency medical incidents  
22 and children with serious illnesses or disabilities

23 13. Children and families at Dilley have consistently reported that they are not  
24 apprised of their rights under *Flores*, including their right to access free legal counsel. As  
25 recently as the September 9-11 visit and long before then, class members reported never  
26 receiving a know-your-rights training, having challenges accessing their immigration  
27 lawyers, and not being able to call their immigration lawyers for free. (Some class  
28 members reported that some legal calls are free to certain attorneys or if the attorney

1 schedules a legal call, but not in other situations.) Many families were unaware they  
2 were allowed free legal calls and did not know how to make them. In earlier visits,  
3 families reported not having access to a list of free legal attorneys at all, but legal services  
4 posters in English and Spanish are now visible on the walls in various areas of the  
5 facility. Typically, English-language flyers are stapled *over* Spanish language flyers with  
6 other languages occasionally available behind those. Families would have to lift up the  
7 English language flyer to see other languages available beneath it. On several observed  
8 bulletin boards, the small print list of which languages materials are available in, was  
9 posted at the top perimeter of the bulletin board well above an adult's line of sight.  
10 Plaintiffs' counsel did not observe any sign-up sheets available for legal visits. Notably,  
11 next to the list of pro bono attorneys is a sign-up list for people seeking voluntary  
12 departure. This is the only sign-up list I observed posted on the bulletin boards  
13 throughout the facility. There is no sign-up list to request a legal meeting with RAICES  
14 who provides individual meetings regularly at the facility. As far as I am aware, there is  
15 no legal orientation program in operation. Although a video showing a courtroom is  
16 shown in the intake room, the volume has been off or extremely low when I have been on  
17 each tour. The cartoon playing in the small children's area of intake is played loudly. It  
18 is impossible to hear what is being said on the video used for orienting new families in  
19 the intake room. Families who did not speak English or Spanish (which is a significant  
20 portion of the population) and families who were trying to access attorneys other than  
21 RAICES had an especially difficult time accessing legal counsel.

22 14. Although ICE claims to have resolved issues with accessing drinkable water  
23 at Dilley, children and parents tell a different story. As recently as our September 9-11  
24 visit, class members reported that drinkable water continues only to be available in the  
25 cafeteria during mealtimes. Children and parents are not permitted to leave the cafeteria  
26 with cups of water or food for later. Bottled water must be purchased for \$1.21 per bottle  
27 at the commissary, which most families cannot afford. The inability of class members to  
28 access drinkable water has been consistent and ongoing since May 2025 and raised as a

1 concern at every Dilley site visit since then. Far too many people have shared that the  
2 water in the sinks in living areas is disgusting, makes them sick, and has an odd smell or  
3 flavor, and that staff tell them the water in living areas is undrinkable for these concerns  
4 to be disregarded. Moreover, if bottled water were available “upon request” as suggested  
5 in the ICE supplemental report, why would CoreCivic be selling it in the Commissary for  
6 \$1.21 per bottle? In my eight years of visiting children in ORR and CBP custody, I have  
7 never heard until now of children having to buy water.

8 15. ICE also claims to have resolved issues with child-appropriate foods and  
9 healthy snacks at Dilley by providing “dietitian-approved meals and snacks, including  
10 child-friendly options.” Yet, class members have continually reported that the food is  
11 always the same and there are no toddler-friendly options, leading many to lose weight or  
12 stop eating entirely. Families have repeatedly raised concerns about access to baby  
13 formula and reported that children’s snacks are limited to red apples, sugary cookies,  
14 milk and apple juice. My observations on the tour have also confirmed that snacks  
15 available outside of mealtimes are only red apples, Teddy Grahams, milk, and apple  
16 juice. While this selection might not be inappropriate for short stays, children detained at  
17 Dilley for weeks or months need other options. These concerns continued to be reported  
18 during Plaintiffs’ September visit. It is not too much to ask to provide babies with ample  
19 formula or children with fresh fruit like bananas and oranges.

20 16. Although the Juvenile Coordinator’s supplemental report further claims  
21 children are provided with hygiene products, as recently as last week, class members  
22 reported that the only thing available for them in the showers is liquid hand soap, a  
23 complaint we have verified during the tour of the living area. Class members must buy  
24 necessary hygiene products, such as shampoo and bar soap, from the commissary.  
25 Further, during the September visit, we also heard that class members received a  
26 toothbrush (that quickly becomes unusable) and a travel-size toothpaste upon arrival at  
27 Dilley, but once they ran out they had to buy more from the commissary. Examples of  
28 basic needs products sold in the commissary include: \$5.73 for deodorant, \$1.44 for soap,

1 \$2.39 for toothpaste and \$1.30 for a single dose of Tylenol. The fact that essential items  
2 such as body soap, shampoo, toothpaste, menstrual products, and ChapStick are sold at  
3 the commissary strongly indicates they are not being provided for free in a timely or  
4 adequate manner.

5 17. Children also have to pay for phone calls to their family, and thus are denied  
6 access to communication with non-detained family members unless they have money.  
7 The Supplemental Report states that “[e]ach minor is provided with a free phone call,”  
8 which as class members have told us, means that they can make one three-minute call  
9 upon entry, but have to pay for any further communication. This is harmful and isolating  
10 for children, especially for families without money in their accounts who cannot reach  
11 immediate family members by phone. Our most recent tour confirmed that “social” visits  
12 are not permitted under the modified standards, meaning that children who have been  
13 detained apart from family members who are living in the interior of the United States—  
14 including parents and primary caregivers—are unable to visit with them in-person while  
15 detained.

16 18. The supplemental report admits there is no consistent structured education  
17 available at Dilley and instead children are forced to spend day after day learning only  
18 from “educational packets” and workbooks. This aligns with my personal experience  
19 touring Dilley and speaking with families. Parents and children alike expressed serious  
20 concerns about the education time they are missing. Dilley has been open for  
21 approximately six months and yet there is no indication as to when there will be adequate  
22 educational services provided to class members. Many of the children detained at Dilley  
23 are missing important educational milestones and tests and are falling behind in school.  
24 Their education cannot be replaced by an hour of education packets. Further, children  
25 report that the library contains few or no books in most languages other than English or  
26 Spanish, and any classes are conducted in English or Spanish. We verified these  
27 concerns on our tour.  
28

19. Families also consistently complain about the living arrangements at Dilley. Dual household families must live in separate zones – with mothers and children generally in one zone and fathers living separately in another zone. Although families are allowed to be together during the day, fathers are separated from their children after 8 pm, which is upsetting to many children. There are also limited places to be together as a family during the day, as fathers are not permitted in their wives’ and children’s living quarters and vice versa. Families also report sometimes sharing their living quarters with two or three other families they do not know, which can create stress and conflict – especially if families do not speak the same language. In addition, families report having difficulty sleeping because lights are kept on in living room areas throughout the night and guards often speak loudly on walkie-talkies.

20. For children with mental health needs or disabilities, detention in secure, restrictive facilities, prolonged separation from their medical care providers, and interruption of their medical care plans cause dangerous decompensation. On my site visits to Dilley this year, I have met with children with life-threatening diseases like leukemia, and children on the autism spectrum who were suffering immensely from missing needed therapies and the harsh conditions at Dilley. Similarly, ICE detention centers are not prepared to respond to medical emergencies. One child we met last week was made to wait more than six hours with acute stomach pain, then was told by a nurse he was fine and should come back in three days. After he vomited, he was finally taken to a hospital, where staff immediately identified that he was suffering from appendicitis and rushed him into emergency surgery.

### **Alarming Lengths of Detention at Dilley**

21. Our monitoring visits have also revealed an alarming increase in average time in custody at Dilley. In July, we met with several children who had been detained for two or more months. At the most recent monitoring visit, we observed a continuing trend of increasing time in custody. For example, on September 9, 2025, there were



1 children who had been at Dilley for approximately 98 days, 74 days, 63 days, and 55  
2 days. During the September 2025 site visit, we interviewed fifteen families that had been  
3 detained over 20 days. One family we interviewed had been apprehended in April and  
4 detained in CBP custody for 16 days before being transferred to Dilley, where they were  
5 detained for 45 days. The family was released in July and ordered to attend check-ins.  
6 At their first check-in, in August, the family was re-detained and has now been in ICE  
7 custody, enduring their second detention, for 20 days. Counsel is aware of other families  
8 that have been re-detained after being released from family detention earlier this year.

9 22. At our meet and confers and in correspondence, we have repeatedly brought  
10 these violations and concerns to the attention of Defendants.

11  
12 I declare under penalty of perjury that the foregoing is true and correct. Executed on this  
13 15th day of September, 2025 at San Francisco, California.

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Leecia Welch