

CENTER FOR HUMAN RIGHTS &
CONSTITUTIONAL LAW
Bardis Vakili (Cal. Bar No. 247783)
bardis@centerforhumanrights.org
Sarah E. Kahn (Cal. Bar No. 341901)
sarah@centerforhumanrights.org
Erika Cervantes (Cal. Bar No. 344432)
erika@centerforhumanrights.org
1505 E 17th St. Ste. 117
Santa Ana, CA 92705
Tel: (909) 274-9057

Attorneys for Plaintiffs

Additional counsel listed on following page

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

Immigration Center for Women and
Children, et. al.,

Plaintiffs,

v.

Kristi Noem, et. al,

Defendants.

Case No.: 2:25-cv-09848-AB-AS

**DECLARATION OF BARDIS VAKILI IN
SUPPORT OF PLAINTIFFS' MOTION FOR
APA § 705 RELIEF AND INDIVIDUAL
AND CLASSWIDE PRELIMINARY
INJUNCTION**

Additional Counsel for Plaintiffs:

LA RAZA CENTRO LEGAL

Stephen A. Rosenbaum (Cal. Bar No. 98634)

srosenbaum@law.berkeley.edu

Jordan Weiner (Cal. Bar No. 356297)

jordan@lrcl.org

474 Valencia Street, Suite 295

San Francisco, CA 94103

Tel: (415) 575-3500

PUBLIC COUNSEL

Rebecca Brown (Cal. Bar No. 345805)

rbrown@publiccounsel.org

Kathleen Rivas (Cal. Bar No. 333600)

krivas@publiccounsel.org

610 South Ardmore Ave.

Los Angeles, CA 90005

Tel: (213) 385-2977

COALITION FOR HUMANE IMMIGRANT RIGHTS

Carl Bergquist* (DC Bar 1720816)

cbergquist@chirla.org

2351 Hempstead Road

Ottawa Hills, OH 43606

Tel: (310) 279-6025

Adam Reese (Cal. Bar No. 362898)

areese@chirla.org

2533 W 3rd Street, #101

Los Angeles, CA 90057

Tel: (213) 353-1333

** Admitted pro hac vice*

1 I, Bardis Vakili, hereby declare as follows:

2 1. I have personal knowledge of the facts set forth below and if called to
3 testify, I could and would do so competently.

4 2. I am the Legal Director at the Center for Human Rights &
5 Constitutional Law and one of the counsel for Plaintiffs in this matter.

6 3. On October 15, 2025, I emailed Assistant United States Attorney
7 Daniel Beck to inform him of the filing of the Complaint in this case and to inform
8 him of our plan to seek preliminary relief on behalf of Plaintiffs. After the meet
9 and confer process, given the uncertain dynamics with the lapse in government
10 funding, we determined not to seek a temporary restraining order, but I informed
11 Mr. Beck on October 27, 2025 of our intention to pursue a preliminary injunction.

12 4. In our communication, Mr. Beck has expressed that, at least in part
13 due to the lapse in government funding, no counsel from the Department of Justice
14 had yet been assigned to this case. Mr. Beck stated that he does not represent
15 Defendants in this case and anticipates that an attorney from the Department of
16 Justice in Washington D.C. will be assigned, and that he is therefore unable to
17 discuss any definitive positions for Defendants regarding the issues in the case.

18 5. In email correspondence on October 30, 2025, after emailing him
19 courtesy copies of the motions Plaintiffs had just filed, I suggested to Mr. Beck
20 that his office might take steps to get this case assigned to an appropriate
21 Department of Justice attorney. I also notified him that, notwithstanding the lapse
22 in government funding, because Defendants continued to fund the detention and
23 removal of Plaintiffs and putative class members, Plaintiffs will proceed diligently
24 with this case including with the anticipated motions we had already identified.

25 6. On November 10, 2025, with no government attorney yet having
26 entered an appearance, I emailed Mr. Beck and asked if he or another Department
27 of Justice attorney could meet and confer regarding Plaintiffs' forthcoming motion
28 for preliminary injunction. Mr. Beck promptly responded that he would attempt to

1 identify an appropriate contact. To date, no counsel for Defendants have made
2 themselves available to meet and confer.

3 7. The urgency of this matter continues to grow, as Defendants'
4 enforcement under the challenged policies continues to impact Plaintiffs. In the last
5 week alone, I received word that Plaintiff Immigration Center for Women and
6 Children ("ICWC") had yet another U visa client in valid deferred action status
7 detained in ICE's Adelanto detention facility and is facing imminent removal.
8 ICWC attorneys have had to devote significant effort to prevent this unlawful
9 removal, and it remains to be seen if they will be successful.

10 8. Additionally, yesterday Paulo C.'s immigration lawyer notified me
11 that ICE had just transferred him to another ICE facility in Texas, where
12 immigration proceedings are governed by a different immigration court and the
13 facility is within a different judicial district. His immigration attorney is concerned
14 that, because of this transfer, his immigration proceedings will also be transferred to
15 the new immigration court, further delaying his proceedings and prolonging his
16 detention.

17 9. Plaintiffs Lupe A., Carmen F., and Yessenia Ruano continue to face
18 irreparable harm through their unlawful expulsions, having been separated from
19 their homes and families. I understand that Carmen F. and her son remain forced to
20 live in fear with her abuser.

21 10. I will continue to endeavor to meet and confer with counsel for
22 Defendants when one makes an appearance. However, Plaintiffs' need for
23 immediate relief is sufficiently urgent that it is not an option to further defer
24 seeking preliminary relief from the Court.

1 I declare under penalty of perjury of the laws of the State of California and the
2 United States that the foregoing statements are true and correct.

3
4 Executed this 14th day of November, 2025, in San Diego, California

5
6 Respectfully submitted,

7
8 /s/ Bardis Vakili

9 Bardis Vakili
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CENTER FOR HUMAN RIGHTS &
CONSTITUTIONAL LAW
Bardis Vakili (Cal. Bar No. 247783)
bardis@centerforhumanrights.org
Sarah E. Kahn (Cal. Bar No. 341901)
sarah@centerforhumanrights.org
Erika Cervantes (Cal. Bar No. 344432)
erika@centerforhumanrights.org
1505 E 17th St. Ste. 117
Santa Ana, CA 92705
Tel: (909) 274-9057

Attorneys for Plaintiffs

Additional counsel listed on following page

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

Immigration Center for Women and
Children, et. al.,

Plaintiffs,

v.

Kristi Noem, et. al,

Defendants.

Case No.: 2:25-cv-09848-AB-AS

**DECLARATION OF JESSICA FARB IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Additional Counsel for Plaintiffs:

LA RAZA CENTRO LEGAL

Stephen A. Rosenbaum (Cal. Bar No. 98634)

srosenbaum@law.berkeley.edu

Jordan Weiner (Cal. Bar No. 356297)

jordan@lrcl.org

474 Valencia Street, Suite 295

San Francisco, CA 94103

Tel: (415) 575-3500

PUBLIC COUNSEL

Rebecca Brown (Cal. Bar No. 345805)

rbrown@publiccounsel.org

Kathleen Rivas (Cal. Bar No. 333600)

krivas@publiccounsel.org

610 South Ardmore Ave.

Los Angeles, CA 90005

Tel: (213) 385-2977

COALITION FOR HUMANE IMMIGRANT RIGHTS

Carl Bergquist* (DC Bar 1720816)

cbergquist@chirla.org

2351 Hempstead Road

Ottawa Hills, OH 43606

Tel: (310) 279-6025

Adam Reese (Cal. Bar No. 362898)

areese@chirla.org

2533 W 3rd Street, #101

Los Angeles, CA 90057

Tel: (213) 353-1333

** Pro Hac Vice Application Forthcoming*

DECLARATION OF JESSICA FARB

I, Jessica Farb, declare and state as follows:

1. My name is Jessica Farb, and I submit this declaration in support of the Immigration Center for Women and Children and our clients pursuing survivor-based benefits before the United States Citizenship and Immigration Services (“USCIS”).
2. I am the Deputy Director of the Immigration Center for Women and Children (“ICWC”). Our principal place of business is Los Angeles. We have offices in Los Angeles, California; San Diego, California; San Francisco, California; and Las Vegas, Nevada. I have been working at ICWC for 14 years.
3. ICWC’s mission is to provide free and affordable immigration services, including legal representation, to underrepresented immigrants in California and Nevada. ICWC strives to provide security and stability for children who are abused, abandoned or neglected and for immigrants who are survivors of domestic violence, sexual assault and other violent crimes.
4. ICWC provides legal assistance to victims of crime and trafficking, including services concerning (a) Petitions for U Nonimmigrant Status; (b) Self-Petitions under the Violence Against Women Act; (c) Applications for T Nonimmigrant Status; and (d) Applications to Adjust Status based on the aforementioned statuses.
5. ICWC also provides a range of free and affordable immigration legal services, including services concerning (a) Asylum for Unaccompanied Children; and (b) Special Immigrant Juvenile Status (SIJS).
6. The following figures represent ICWC’s best available estimates based on current records and case tracking systems. While accurate to the best of our knowledge, they may be subject to minor variation.

- 1 7. ICWC currently represents 6,245 clients with pending U-Visa applications, either
2 as principal petitioners or derivative applicants. As for ICWC's derivative U visa
3 cases, ICWC represents 2,394 derivative applicants. These clients have survived
4 one or more of the U-Visa's qualifying criminal activities, including but not
5 limited to: domestic violence, sexual assault, sexual exploitation, rape, stalking,
6 felonious assault, kidnapping and trafficking. Of the 3,851 clients who are
7 *principal* petitioners for U Nonimmigrant Status, 2,279 have Deferred Action and
8 work authorization through the bona fide determination process, and 35 have
9 Deferred Action and work authorization through the wait list determination. the 1,
10 537 clients who are principal petitioners are waiting for bona fide determinations.
11 ICWC represents 64 U Visa clients who have upcoming Master Calendar Hearings
12 before an immigration court, and 110 U Visa clients in administratively closed
13 removal proceedings.
- 14 8. ICWC currently represents 15 clients with pending T-Visa applications.
- 15 9. ICWC currently represents 343 clients who are survivors of domestic violence,
16 including abuse perpetrated by their spouses, children, or parents. These
17 individuals have either pending VAWA self-petitions or approved VAWA self-
18 petitions with pending Adjustment of Status applications.
- 19 10. The protections and benefits offered by U and T Visas are crucial in allowing
20 ICWC to provide legal services to our clients. ICWC attorneys routinely referred to
21 and shared in print version ICE guidance directing agents to generally exercise
22 discretion when encountering survivors of serious crimes, including most recently
23 ICE Directive 11005.3: *Using a Victim-Centered Approach with Noncitizen Crime*
24 *Victims* (Dec. 2, 2021) and ICE Policy Statement 10076.1: *Prosecutorial*
25 *Discretion: Certain Victims, Witnesses, and Plaintiffs* (Jun. 17, 2011) to advise
26 clients that ICE, absent exceptional circumstances, did not take enforcement
27 actions against those applying for U Visas, T Visas, or self-petitioning under the
28 Violence Against Women Act. ICWC's U Visa clients, for example, often need
reassurance that cooperating with local law enforcement in the investigation or
prosecution of a crime and then filing a petition to USCIS will not put them at risk
of an ICE enforcement action. Without these protections, some noncitizens who

1 are prima facie eligible for relief will not submit applications to USCIS or not
2 cooperate with law enforcement.

3 11. ICWC clients and their respective communities generally trust law enforcement in
4 California and Nevada, particularly when compared to the conditions in their
5 countries of origin, where corruption and abuse are far more prevalent. Many
6 clients arrive with deep skepticism toward police due to past experiences, but find
7 that here, they can report crimes and seek protection without fear of retaliation or
8 exploitation. While broader community incidents have understandably impacted
9 perceptions of law enforcement, ICWC clients have largely been able to feel safe
10 engaging with police, especially when pursuing immigration relief through VAWA
11 or U Visa processes. However, recent ICE raids and enforcement actions in
12 communities like Los Angeles—where officers have entered neighborhoods
13 masked or without clear identification—have created renewed fear and confusion,
14 challenging the trust that many immigrant communities have worked hard to build.
15 Despite those actions, over time and with continued education and advocacy, the
16 relationship between ICWC clients and local law enforcement has strengthened,
17 allowing survivors to come forward and cooperate in investigations with greater
18 confidence.

19 12. Countless ICWC clients have been able to escape abusive relationships thanks to
20 the protections and benefits afforded by having a pending or approved VAWA
21 self-petition or U Visa petition. One such client, a woman from Honduras, endured
22 years of compounded trauma before reaching safety. After fleeing her ex-partner's
23 abuse, she was confined and raped by local gangs for an extended period, resulting
24 in a pregnancy. She escaped with the help of a pastor, only to be abducted—
25 alongside her five-year-old daughter—by a cartel in Mexico during their journey to
26 the United States. Both were held hostage and repeatedly assaulted for over a
27 month before being released at the U.S.-Mexico border. Once in California, the
28 client was the victim of a felonious assault: a stranger followed her in a car,
attempted to run her over, then exited the vehicle, threw her to the ground, and
held her at gunpoint while robbing her. She reported the crime to law enforcement
and filed for a U Visa. More recently, she was raped again by a housemate. She is
now residing in a shelter, seeking a restraining order, and working to stabilize her

1 living situation. The client was granted deferred action and a work permit, which
2 will be instrumental in helping her access support services and secure reliable
3 employment once she regains housing stability. With these protections in place,
4 she is now far more likely to escape the extreme and recurrent violence she has
5 endured and begin rebuilding a life of safety and dignity.

6 13. Hundreds—potentially thousands—of current and former ICWC clients have
7 played a critical role in successful criminal prosecutions through their cooperation
8 with law enforcement. For example, our San Diego office represented a client who
9 survived sexual abuse and courageously assisted investigators. Her cooperation led
10 to the identification of multiple additional victims, and the perpetrator was
11 ultimately sentenced to 267 years in prison. This client's U Visa was approved, and
12 she has since rebuilt her life.

13 14. ICWC currently represents several clients in our Las Vegas office who are actively
14 cooperating with an ongoing investigation led by the Department of Labor into
15 workplace abuses by a large construction company. While cooperation with law
16 enforcement remains a vital pathway to protection and relief, fear among our
17 clients is ever-present—and has intensified in recent months. This fear is especially
18 acute in light of recent ICE raids and enforcement actions in communities like Los
19 Angeles, where officers have entered neighborhoods masked or without clear
20 identification, undermining trust in law enforcement. Despite these challenges,
21 ICWC continues to support our clients by informing them of their rights and
22 options and encouraging cooperation with law enforcement when it is safe and
23 appropriate to do so.

24 15. ICE Policy Number 11005.4 is arbitrary in both its design and implementation.
25 The policy rescinded prior directives—specifically ICE Directive 11005.3 and
26 Policy Statement 10076.1—that had long provided clear protections for immigrant
27 survivors of crime, including guidance that ICE should not take enforcement
28 actions against individuals applying for U Visas, T Visas, or VAWA self-petitions
absent exceptional circumstances. The new policy fails to offer a reasoned
explanation for this reversal. It does not acknowledge the reliance interests of
organizations like ICWC, which have built legal strategies and client trust around
the prior protections. Nor does it consider the destabilizing impact on survivors

1 who are now left uncertain about whether cooperation with law enforcement could
2 lead to detention or removal.

3 16. The protections removed by ICE Policy 11005.4 are substantial. ICE agents are no
4 longer required to affirmatively seek evidence that someone is a victim of crime or
5 to consider such evidence as a positive discretionary factor in enforcement
6 decisions. The policy also ends the routine practice of requesting prima facie
7 determinations or expedited adjudications from USCIS when individuals with
8 pending U or T visa petitions request stays of removal. These changes have led to
9 enforcement actions against individuals with deferred action, undermining the very
10 purpose of victim-based immigration relief and discouraging survivors from
11 coming forward.

12 17. The explanation provided for rescinding these protections—if any—was
13 inadequate. The policy offers no meaningful justification for why ICE should
14 abandon a victim-centered approach, nor does it address the real-world
15 consequences for survivors of crime and trafficking. It fails to consider the chilling
16 effect on cooperation with law enforcement, the erosion of trust in public
17 institutions, and the increased risk of harm to vulnerable individuals.

18 18. Critically, ICE Policy Number 11005.4 disregards the lived realities of immigrant
19 survivors. It does not account for the trauma, fear, and systemic barriers that
20 survivors face when deciding whether to report crimes or seek legal relief. By
21 removing safeguards that previously encouraged cooperation and protected
22 survivors from enforcement, the policy exacerbates the risks of detention and
23 deportation for individuals who are actively seeking justice and safety. ICWC has
24 observed clients dropping out of services or losing contact due to fear and stress,
25 and the organization has had to divert significant resources—including hiring
26 temporary staff and increasing client communications—to mitigate the harm
27 caused by the policy.

28 19. ICE Policy Number 11005.4 undermines the legal and humanitarian framework
designed to protect immigrant survivors. It imposes arbitrary barriers, strips away
essential protections, and fails to consider the complex challenges faced by those
most in need of support. ICWC continues to advocate for its clients, but the policy
has forced the organization to expend time, money, and staff capacity that would
otherwise be used to expand services and reach more survivors in need.

20. ICE Policy Number 11005.4, and the resulting practices of immigration agents
arresting individuals with deferred action and refusing to request prima facie
determinations for those with pending U or T visa applications, have significantly

1 frustrated and impaired ICWC's core mission of providing legal representation to
2 immigrant crime survivors in California and Nevada. The policy has led to a
3 chilling effect among immigrant survivors of crime and trafficking, many of whom
4 now fear that seeking legal relief or cooperating with law enforcement could result
5 in detention or removal. ICWC has observed an increase in client anxiety, with
6 clients missing scheduled appointments or losing contact with ICWC due to stress
and fear. This has directly impacted ICWC's ability to maintain consistent
communication and representation for vulnerable clients.

7 21. In recent months, ICWC has experienced a noticeable dip in new clients seeking
8 initial representation — an outcome that could be tied to the heightened fear
9 surrounding immigration enforcement. This decline in engagement not only affects
10 ICWC's ability to serve survivors but also has potential implications for funding,
as ICWC receives support based on the volume of applications and clients served.

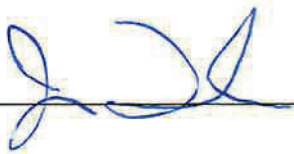
11 22. To counteract the barriers imposed by ICE Policy Number 11005.4 and the
12 immigration policies it enabled and to ensure that ICWC continues carrying out its
13 mission and core business activity of providing legal representation to
14 underrepresented immigrants in California and Nevada, ICWC has been forced to
15 divert time, money, and resources. Considering the policy and its impact to our
16 clients, ICWC hired 2.5 temporary employees for two months to enter the Alien
17 Registration Number of every client into EOIR's Automated Case Information
18 system to identify all clients in active removal proceedings, including
19 administratively closed proceedings, and all clients with removal orders from
20 EOIR. ICWC attorneys are spending increasing amounts of time discussing the
21 risk of ICE enforcement with clients at all stages of a case. ICWC has received a
22 substantial increase in calls from clients asking about ICE enforcement and
whether their pending immigration case offers them any protection. This
negatively impacts ICWC's ability to offer services to new potential clients.

23 23. Before the implementation of ICE Policy Number 11005.4, ICWC was not
24 required to make the kinds of expenditures that are now essential to ensure the
25 legal representation of our U Visa, T Visa, and VAWA clients. Under prior ICE
26 directives, clients with pending victim-based immigration applications were
27 generally protected from enforcement actions, allowing ICWC staff to focus on
28 direct legal services and outreach. However, the new policy has created an
environment of fear and uncertainty, compelling ICWC to invest in providing

1 additional materials and information and staff time to clients throughout
2 representation – which can span upwards of a decade and hire staff to manually
3 monitor EOIR records for every client. Attorneys now spend significantly more
4 time counseling clients on enforcement risks and responding to urgent inquiries
5 about ICE activity. Without these added resources, ICWC would be unable to
6 maintain the trust and safety required to serve survivors of crime and trafficking
effectively.

7 24.If it were not for the resources necessary to effectively represent our clients and
8 carry out our mission in response to ICE Policy Number 11005.4 and the
9 enforcement practices it enabled, ICWC would have spent its time, money, and
10 staff capacity on expanding services to more immigrants in California and Nevada
11 who urgently need legal representation. The policy has forced ICWC to limit the
12 number and complexity of new U Visa, T Visa, and VAWA cases we can accept,
13 as the legal work has become significantly more demanding and unstable. The
14 evolving enforcement landscape—marked by increased detention risks and the
15 refusal of immigration agents to request prima facie determinations—requires
16 more intensive client counseling, record monitoring, and emergency response. As a
17 result, ICWC has had to reject or defer cases that we would have otherwise taken.
18 In recent months, we have also observed a decline in community outreach for U
19 Visa services, which may be tied to heightened fear and uncertainty. This reduction
20 in client engagement not only impacts our ability to serve survivors, but may also
affect funding streams tied to the volume of applications and clients served. The
diversion of resources toward defensive strategies has constrained our growth and
limited our reach.

21
22 I declare under penalty of perjury and under the laws of California and the United States
23 of America that the foregoing is true and correct. Executed on this 9th day of October,
24 2025.

25
26 Signed:  _____
27
28

CENTER FOR HUMAN RIGHTS &
CONSTITUTIONAL LAW
Bardis Vakili (Cal. Bar No. 247783)
bardis@centerforhumanrights.org
Sarah E. Kahn (Cal. Bar No. 341901)
sarah@centerforhumanrights.org
Erika Cervantes (Cal. Bar No. 344432)
erika@centerforhumanrights.org
1505 E 17th St. Ste. 117
Santa Ana, CA 92705
Tel: (909) 274-9057

Attorneys for Plaintiffs

Additional counsel listed on following page

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

Immigration Center for Women and
Children, et. al.,

Plaintiffs,

v.

Kristi Noem, et. al,

Defendants.

Case No.: 2:25-cv-09848-AB-AS

**DECLARATION OF SUSAN BEATY IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Additional Counsel for Plaintiffs:

LA RAZA CENTRO LEGAL

Stephen A. Rosenbaum (Cal. Bar No. 98634)

srosenbaum@law.berkeley.edu

Jordan Weiner (Cal. Bar No. 356297)

jordan@lrcl.org

474 Valencia Street, Suite 295

San Francisco, CA 94103

Tel: (415) 575-3500

PUBLIC COUNSEL

Rebecca Brown (Cal. Bar No. 345805)

rbrown@publiccounsel.org

Kathleen Rivas (Cal. Bar No. 333600)

krivas@publiccounsel.org

610 South Ardmore Ave.

Los Angeles, CA 90005

Tel: (213) 385-2977

COALITION FOR HUMANE IMMIGRANT RIGHTS

Carl Bergquist* (DC Bar 1720816)

cbergquist@chirla.org

2351 Hempstead Road

Ottawa Hills, OH 43606

Tel: (310) 279-6025

Adam Reese (Cal. Bar No. 362898)

areese@chirla.org

2533 W 3rd Street, #101

Los Angeles, CA 90057

Tel: (213) 353-1333

** Pro Hac Vice Application Forthcoming*

DECLARATION OF SUSAN BEATY

I, Susan Beaty, declare and state as follows:

1. My name is Susan Beaty, and I submit this declaration in support of Plaintiffs' motion for preliminary injunction regarding Defendants' policies of immigration enforcement against people with pending petitions for VAWA relief, U visas, and T visas.
2. I am a Senior Attorney at the California Collaborative for Immigrant Justice ("CCIJ"). Our principal place of business is located at 1999 Harrison St., Suite 1800, Oakland, CA 94612. I have been working in the immigrants' rights field for 15 years, as an immigration attorney for 7 years, and at CCIJ for 2 years.
3. CCIJ's uses coordination, advocacy, and legal services to fight for the liberation of immigrants in detention in California. We envision a world where no one is subject to incarceration or family separation.
4. CCIJ operates legal clinics at immigration detention centers and other carceral facilities across California. CCIJ also coordinates and provides technical assistance to rapid response networks across the Bay Area. Through our clinics and rapid response work, CCIJ provides immigration consultations, referrals, pro se support, and limited scope legal services to hundreds of detained and incarcerated immigrants each year. We also provide technical support and mentorship to immigration attorneys across the state.
5. CCIJ also works to support local and state policies that aim to protect and empower detained immigrants, such as AB3228 (The Accountability in Detention Act), AB 263 (The Health Oversight & Leadership in Detention Act), AB 2632 (the California Mandela Act on Solitary Confinement).
6. CCIJ collects and analyzes data related to ICE enforcement behaviors and detention center conditions, among others, for advocacy and educational purposes.

1 Data helps CCIJ tell a story of what is actually happening to immigrant
2 communities.

- 3 7. CCIJ uses a range of other legal tools to advocate for and defend detained
4 immigrants, including but not limited to high-impact litigation, complaints to state
5 and federal oversight agencies, and advocacy letters to elected officials.
- 6 8. As part of our work, and to help advance our mission, CCIJ provides legal
7 assistance to victims of crime and trafficking. We provide consultations, pro se
8 support, and referrals to survivors of crime through our clinics and rapid response
9 efforts. We also provide direct legal services to crime survivors, including
10 representation in removal defense before the Immigration Courts, Board of
11 Immigration Appeals, and federal circuit courts, as well as applications for victim-
12 based immigration relief before U.S. Citizenship and Immigration Services
13 (USCIS). We represent crime survivors in impact litigation, including litigation to
14 challenge inhumane conditions of confinement and abuse within carceral facilities,
15 and in complaints to state and federal oversight agencies. We also support crime
16 survivors in advocating to state and federal elected officials and government
17 agencies for systemic reforms.
- 18 9. CCIJ has expanded our support for victims of crime and trafficking through our
19 work with survivors of prison staff sexual assault. CCIJ previously operated an
20 immigration legal clinic at the former Federal Correctional Institute (FCI) in
21 Dublin, California, a federal women's prison that hosted an immigration court site.
22 Through our clinic we learned that dozens of incarcerated immigrant women were
23 abused by various prison officials. We supported noncitizen survivors in bringing
24 individual civil claims as well as a class action lawsuit in federal district court,
25 which led to the largest aggregate financial settlement in the history of the federal
26 prison system, the closure of the prison, and a consent decree to protect the rights
27 of people formerly incarcerated at Dublin. We continue to represent a class of
28 hundreds of individuals who were transferred from FCI Dublin to federal prisons
across the country. We have also represented dozens of survivors of FCI Dublin
staff abuse in immigration matters, including removal defense before the
Immigration Courts and federal appellate courts, affirmative applications to USCIS

1 for victim-based relief, and requests for release from custody and prosecutorial
2 discretion to Immigration and Customs Enforcement (ICE). We also continue to
3 offer consultations, pro se support, and referrals to immigrant survivors of prison
4 staff abuse at state and federal prisons across the U.S.

5 10.CCIJ currently represents nine individual clients with pending U-Visa applications.
6 Four CCIJ clients have received bona fide determinations (BFDs) and deferred
7 action. Five have regular check ins with ICE. Three are in active removal
8 proceedings, including two who are currently detained by ICE.

9 11.CCIJ currently represents three individual clients with pending T-Visa
10 applications. All three have final orders of removal. One has a BFD and regularly
11 checks in with ICE. One is in criminal custody and is the subject of an immigration
12 detainer. One was deported after ICE denied her request for a stay of removal
13 based on her pending T visa application.

14 12.As class counsel in multiple ongoing class action lawsuits related to conditions of
15 confinement and abuse in detention centers and prisons, CCIJ also represents other
16 survivors of crime with pending U and T visa applications in their capacity as class
17 members.

18 13.CCIJ also regularly provides legal services to other survivors of crime through our
19 legal clinics and rapid response coordination. Since February 2025 CCIJ has
20 provided consultations, referrals, pro se support, and/or limited scope
21 representation to over 80 victims of crime and/or trafficking.

22 14.The protections and benefits offered by U and T Visas are crucial in allowing CCIJ
23 to provide legal services to our clients and to immigrant communities in California.
24 CCIJ routinely advises clients and individuals we encounter at clinics and through
25 rapid response of the potential protections provided by U and T visas. CCIJ has
26 worked with survivors of crime who have decided to make a report to law
27 enforcement officials and participate in law enforcement investigations after
28 learning about U and T visa protections.

1
2 15. The communities that CCIJ serves have limited trust with law enforcement
3 officials, often due to past traumatic experiences with police in their home
4 countries and/or in the U.S., and due to an understandable fear that interactions
5 with law enforcement officials will lead to immigration consequences. We have
6 represented and provided services to many survivors of crime who were afraid to
7 report crime because they feared being detained or deported as a result. We have
8 also encountered victims who did in fact suffer immigration consequences after
9 reporting a crime to law enforcement. Over the course of the last ten months, the
10 fragile trust between immigrant communities and law enforcement officials has
11 only further eroded.

12 16. Our work with immigrant survivors of federal prison staff sexual assault
13 exemplifies these trends. At FCI Dublin, abusive officers explicitly targeted
14 undocumented women and threatened to alert ICE if survivors reported their abuse.
15 As a result, for many years immigrant survivors were afraid to report staff sexual
16 assault to prison officials and outside law enforcement agencies. After receiving
17 immigration consultations and representation, many survivors did eventually come
18 forward. Between January 2021 and December 2024, at least 12 noncitizen
19 survivors of FCI Dublin staff sexual assault applied for a U or T visa. With the
20 protection of a pending visa application and then-existing policies mandating
21 discretion towards applicants of victim-based relief, many immigrant survivors
22 remained in the U.S. and participated in a federal criminal investigation of FCI
23 Dublin officials. Several testified against officials in federal criminal trials, and
24 several others provided victim impact statements at sentencing hearings. Due in
25 large part to the bravery and cooperation of immigrant survivors, nine FCI Dublin
26 officials have now been convicted of sexually abusing women in their custody.

27 17. However, over the course of the past eight months, numerous survivors of crime
28 who were previously incarcerated at FCI Dublin have been detained and deported,
including one survivor of FCI Dublin staff sexual assault with a pending T visa.
Between August 2021 and August 2024, at least 34 survivors of crime and/or
trafficking incarcerated at FCI Dublin were granted prosecutorial discretion and
released into the community at the end of their criminal sentences, instead of being

1 detained and/or deported. Since February 2025, CCIJ is not aware of a single case
2 where ICE granted any form of discretion, including release, to an immigrant
3 survivor of abuse in federal prison. As a result of these shifts, immigrant survivors
4 of staff abuse have been more hesitant to report the crimes against them.

5 18. ICE Policy 11005.4 dismantled vital protections for immigrant survivors of crime.
6 ICE Policy 11005.4 rescinded agency policies and practices that survivors,
7 practitioners, and law enforcement officials have relied upon for years. The policy
8 ended the longstanding practice of discretion towards applicants and beneficiaries
9 of victim-based immigration relief, including ICE's practice of routinely
10 requesting expedited processing and bona fide determinations for U and T visas,
11 and regularly issuing administrative stays of removal for crime victims. The Trump
12 administration offered no explanation for ending these commonsense protections.

13 19. ICE Policy Number 11005.4, and the resulting policies of immigration agents
14 arresting people with deferred action and refusing to request prima facie
15 determinations when people with pending U or T visas request stays of removal,
16 frustrate and impair our mission and our core business activity of providing legal
17 representation as we have been forced to spend additional time and energy serving
18 crime victims who are no longer protected from detention or deportation.

19 20. As a result of this policy change, CCIJ has been forced to expend significant
20 resources to seek protections for vulnerable clients and to prevent their detention
21 and/or deportation from the United States. Recent experiences with two similarly
22 situated clients demonstrate this change. CCIJ client's Ms. A and Ms. B are both
23 survivors of heinous sexual abuse and sex trafficking by federal prison guards.
24 Both were issued administrative removal orders prior to their release from prison,
25 and both applied for T visas based on experiences of sex and labor trafficking.
26 After Ms. A was detained by ICE in late 2024, CCIJ staff submitted an
27 administrative request to ICE for release and relief from deportation while her T
28 visa remained pending. ICE released Ms. A into the community in mid-January
2025 and is now reunited with her family and receiving services for trafficking
survivors while her T visa remains pending. After Ms. B was detained by ICE in
the summer of 2025, CCIJ staff submitted a similar request to ICE, which ICE

1 denied without explanation. CCIJ staff then spent significant time and energy
2 working to prevent Ms. B's deportation. Staff represented Ms. B in a request for a
3 Reasonable Fear Interview (RFI) to ICE, the RFI before the Asylum Office, a
4 review of the RFI by an Immigration Judge, a request for reconsideration to the
5 Asylum Office, and then a Petition for Review (PFR) and request for Emergency
6 Stay of Removal to the federal circuit court, all of which were denied. Staff
7 submitted multiple additional requests to ICE for discretion, including an
8 application for an administrative Stay of Removal. ICE denied the stay, again
9 without explanation, before any bona fide determination was made on Ms. B's
10 application. ICE deported Ms. B in August of 2025, permanently separating her
11 from her family and potentially rendering her ineligible for a T visa. As a direct
12 result of ICE Policy Number 11005.4, CCIJ staff spent nearly 50 additional hours
13 on Ms. B's case and are now effectively unable to represent our client.

14 21. As another example, several CCIJ clients with pending U and T visas have been
15 released to the community and regularly attend check ins with ICE. These check
16 ins are routine and have historically required little to no staff support. Since
17 February 2025, and as a direct result of ICE's new policy, CCIJ now ensures that
18 an attorney accompanies our clients with pending victim-based benefits to ICE
19 check ins, meaning staff have to spend hours (up to an entire day) waiting at the
20 ICE office with our clients, or spend time and effort to recruit and a partner
21 organization to attend on our behalf. For particularly vulnerable clients with final
22 orders of removal, CCIJ has recently begun preparing entire court and
23 administrative filings to have on hand at ICE check ins, including preparing federal
24 habeas corpus petitions and motions for temporary restraining orders, and requests
25 for administrative stays of removal. In the last month alone, CCIJ staff have spent
26 over 20 hours preparing federal court filings ahead of ICE check ins for clients
27 with pending U and T visa clients, in anticipation of potential detention. In short,
28 ICE's new policies towards crime victims have forced CCIJ staff to spend untold
additional hours providing services to our clients.

22. CCIJ staff has also been forced to divert significant time and energy supporting
immigrant survivors of crime through clinics and rapid response, including
researching existing potential avenues for relief and protection, revising written

1 materials and templates for pro se clients to reflect ICE's new policy and practices,
2 and providing additional consultations and legal advice to vulnerable crime
3 victims.

4 23. To counteract the barriers imposed by ICE Policy Number 11005.4 and the policies
5 it enabled, and to ensure that we continue carrying out our mission of providing
6 legal representation to help fight for the liberation of immigrant detainees, CCIJ
7 has been forced to divert additional time, money, and resources to legal
8 representation and services. We have added additional staff in the last several
9 months, and we are seeking funding specifically to support staffing our clinics and
10 rapid response networks because we cannot sustain the demands for our time based
11 on our current resources.

12 24. If it were not for the resources necessary to effectively represent our clients and
13 carry out our mission in response to ICE Policy Number 11005.4 and the policies it
14 enabled, CCIJ would have spent its time, money and resources on other matters
15 that would advance our mission, such as our other policy and advocacy efforts. If
16 we were not forced to spend so much time on existing clients with pending U and
17 T visa applications, we would have been able to serve additional clients. If we
18 were not forced to expend significant energy researching and providing advice and
19 support to vulnerable crime victims in light of recent policy changes, we would be
20 able to provide more consultations to unrepresented individuals.

21 I declare under penalty of perjury and under the laws of California and the United States
22 of America that the foregoing is true and correct. Executed on this 9th day of October,
23 2025.

24 Signed: _____



25 Susan Beaty
26
27
28

CENTER FOR HUMAN RIGHTS &
CONSTITUTIONAL LAW
Bardis Vakili (Cal. Bar No. 247783)
bardis@centerforhumanrights.org
Sarah E. Kahn (Cal. Bar No. 341901)
sarah@centerforhumanrights.org
Erika Cervantes (Cal. Bar No. 344432)
erika@centerforhumanrights.org
1505 E 17th St. Ste. 117
Santa Ana, CA 92705
Tel: (909) 274-9057

Attorneys for Plaintiffs

Additional counsel listed on following page

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

Immigration Center for Women and
Children, et. al.,

Plaintiffs,

v.

Kristi Noem, et. al,

Defendants.

Case No.: 2:25-cv-09848-AB-AS

**DECLARATION OF JORDAN WEINER IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Additional Counsel for Plaintiffs:

LA RAZA CENTRO LEGAL

Stephen A. Rosenbaum (Cal. Bar No. 98634)

srosenbaum@law.berkeley.edu

Jordan Weiner (Cal. Bar No. 356297)

jordan@lrcl.org

474 Valencia Street, Suite 295

San Francisco, CA 94103

Tel: (415) 575-3500

PUBLIC COUNSEL

Rebecca Brown (Cal. Bar No. 345805)

rbrown@publiccounsel.org

Kathleen Rivas (Cal. Bar No. 333600)

krivas@publiccounsel.org

610 South Ardmore Ave.

Los Angeles, CA 90005

Tel: (213) 385-2977

COALITION FOR HUMANE IMMIGRANT RIGHTS

Carl Bergquist* (DC Bar 1720816)

cbergquist@chirla.org

2351 Hempstead Road

Ottawa Hills, OH 43606

Tel: (310) 279-6025

Adam Reese (Cal. Bar No. 362898)

areese@chirla.org

2533 W 3rd Street, #101

Los Angeles, CA 90057

Tel: (213) 353-1333

** Pro Hac Vice Application Forthcoming*

DECLARATION OF JORDAN WEINER

I, Jordan Weiner, hereby declare pursuant to 28 U.S.C. § 1746:

1. I am the Legal Director of the Immigration Removal Defense Program at La Raza Centro Legal (“LRCL”), which is located at 474 Valencia Street, Suite 295, San Francisco, CA 94103. I have been working at LRCL since November 2022.
2. Born out of the civil rights and Chicano movements of the 1960’s and 1970’s, LRCL was founded in 1973 by Latino law students to fill a gap in the availability of economically and culturally accessible legal services for the Bay Area’s Latino population. LRCL’s mission is to provide high quality, free legal representation to the Latino community and low-income immigrant families. LRCL’s legal services are organized into four programs: (1) Affirmative Immigration, (2) Immigration Removal Defense, (3) Workers’ Rights, and (4) Elder & Disability Law.
3. LRCL’s Affirmative Immigration Program is comprised of a legal director, two staff attorneys, a paralegal, and is currently in the process of hiring a second paralegal. The program offers a wide range of affirmative immigration legal services to support the low-income, immigrant and Spanish-speaking community of San Francisco and San Mateo counties. These services include (1) providing legal consultations, assessing eligibility for immigration relief, and assisting noncitizens in applying for immigration relief; (2) helping U.S. citizens and legal permanent residents prepare applications to petition family members to immigrate to this country; (3) assisting noncitizens with applying for legal residency or citizenship; (4) helping noncitizens renew their green cards and work permits; (5) assisting youth in filing for legal status under the Deferred Action Executive Order; and (6) assisting affirmative asylum seekers. The program also has a long-running bi-weekly community immigration clinic, in which experienced immigration attorneys provide community members with free legal consultations.
4. One of the Affirmative Immigration Program’s core services is providing legal assistance to victims of crimes and trafficking. The program has about 77 pending U Visa cases, many of which include multiple derivative beneficiaries. The program anticipates filing at least five more U Visa applications in the next couple

1 of months, and more after that, to comply with our organization's community and
2 grant obligations. The program also has at least two pending Violence Against
3 Women Act (VAWA) self-petitions.

4 5. LRCL's Removal Defense Program provides free representation to San Francisco
5 residents in immigration court proceedings. The program also represents Bay Area
6 residents who are detained in Immigration and Customs Enforcement ("ICE")
7 detention centers, including but not limited to, Mesa Verde and Golden State
8 Annex. The program also participates in several regional rapid response networks
9 that provide emergency services in the event of an ICE arrest and is part of the
10 Attorney of the Day program at San Francisco Immigration Court. The program
11 also participates in the California Collaborative for Immigration Justice's monthly
12 clinics to provide free, in-person consultations to noncitizens detained at Central
13 Valley detention centers.

14 6. The Removal Defense Program currently consists of a legal director, a senior staff
15 attorney, two law graduates, and a paralegal. The program currently has about 8
16 pending U visa cases on behalf of 14 individuals (accounting for derivative family
17 members). We also have one client with a pending T visa application and a client
18 with a pending VAWA application we jointly represent with the Affirmative
19 Immigration Program.

20 7. Between the two immigration programs, LRCL currently has about 85 pending U
21 visa cases. The number is even higher when accounting for derivative
22 beneficiaries. Almost all of LRCL's U visa clients have bonafide determinations
23 (BFDs), work permits, and deferred action based on their pending U visa
24 applications. Between the two immigration programs, LRCL also represents at
25 least two clients with pending VAWA applications and one client with a pending T
26 visa application.

27 8. Traditionally, the protections and benefits offered by U visa, T visa, and VAWA
28 applications have been crucial to our work as a community resource here in the
Mission. As a legal service provider directly serving the community, we are
accessible to community members in need 40 hours a week, Monday-Friday. Our
intake coordinator meets community members on about a weekly basis who are

1 seeking assistance in accessing legal support after suffering harm. Often, our office
2 is the first interaction in which a recently arrived noncitizen has gotten an
3 orientation to what resources are available to them when an injustice has been done
4 against them. Generally, our office's response to victims of a crime outside of the
5 clinic context has been to guide community members freshly reeling from harm to
6 seek support and assistance from the local police department. We have encouraged
7 those folks to speak with the local police and access victim services with the
8 understanding that they would be safe in reporting the crimes, and that even if the
9 process couldn't result in a conviction at least there was the chance of some
10 semblance of being able to remain here in safety.

11
12 9. The New Trump Crime Victim Policy has had a significant negative impact on our
13 work. Prior to the implementation of the New Trump Crime Victim Policy, LRCL
14 would encourage almost all eligible crime victims to begin the U visa process.
15 Now, however, our risk calculus has greatly changed. If the community member
16 has never had contact with immigration officials in the United States before, in
17 some situations, we are hesitant to counsel them to apply for a U visa. This is
18 because we now worry their U visa application will trigger ICE enforcement, and
19 ICE may detain them and/or place them in removal proceedings. If this happens,
20 there are no longer any ways for us to advocate for their release or against their
21 deportation. In addition, when we counsel clients with valid U visa claims that
22 applying for a U visa may result in them being placed into removal proceedings,
23 they are much less likely to want to move forward on their case. As such, LRCL
24 has a smaller pool of noncitizens it can represent, which makes it harder to meet its
25 grant deliverables and carry out the goals of its programs.

26
27 10. The administration's new immigration policies, including its crime victim policies,
28 have also led to fewer community members seeking legal advice about U visas at
our biweekly affirmative clinics. Since the ICE raids in Los Angeles began this
year, there was a drastic decline in the amount of people who were signed up for
the clinic showing up for their appointments, including people seeking U visa
consultations. Relatedly, I have witnessed two instances in the past couple of
months of noncitizens who were too scared to even enter the building where LRCL
has its office and have sent people on their behalf instead to ask us a question
while they waited outside. We do not share a building with any federal officials,

1 and the fact that the people in the population we serve – many of whom are crime
2 and trafficking victims – are too scared to walk to into a building that houses only
3 non-profit organizations, speaks a lot the high levels of fear and panic that
4 immigration communities are undergoing.

5 11. In addition, the New Trump Crime Victim Policy has particularly impacted the
6 Immigration Removal Defense Program. Previously, U visa, T visa, and VAWA
7 applications were a powerful tool to defend our clients against deportation. For
8 example, one of our clients received a final order of removal because of the actions
9 of her abusive ex-husband, who is a U.S. Citizen, a few years ago. LRCL filed a
10 VAWA application for her in 2023. We then used the pending VAWA application
11 as the basis for a Form I-246, Application for a Stay of Deportation or Removal to
12 ICE, which ICE granted on February 26, 2024. As such, our client was protected
13 from what likely would have been detention and deportation at an upcoming ICE
14 appointment. Such a scenario is no longer possible, however. If we had a client in a
15 similar situation submit the stay application today, ICE will almost certainly deny
16 it.

17 12. The New Trump Crime Victim Policy also reduces the number of removal defense
18 clients we file U visa applications for. On at least one recent occasion, the
19 Removal Defense Program has made the difficult decision of not filing a U visa
20 application for a client who is eligible because of the limited protection it would
21 provide him. The Removal Defense Program has limited resources, and we cannot
22 put time and energy into legal strategies that do not have an immediate impact. I
23 anticipate making similar difficult decisions in the future as a result of the New
24 Trump Crime Victim Policy.

25 13. The Removal Defense Program is also part of several regional rapid response
26 networks serving the Bay Area. Recently one of our staff members responded to a
27 rapid response activation for a San Mateo County resident who was detained
28 outside of his home. He suffers from a severe traumatic brain injury and acute
neurocognitive disorder. We were concerned about his ability to competently
engage in a Reasonable Fear Interview, which was the only thing preventing him
from being removed. Years ago, he was the victim of a crime where someone
forced their way into his home and threatened him at gunpoint while his children

1 were asleep in the other room. He was unaware such a crime could make him U
2 Visa eligible. Had the protections of the prior policies applied, we would have
3 advised him that he should seek counsel on the U Visa by using the police report
4 that exists as a starting point, and file the U Visa application as soon as possible to
5 pause his removal proceedings while USCIS considers his eligibility. However, the
6 nature of our advisal regarding the U visa had to change because we could no
7 longer assure him that filing a U visa application would offer any protection. He
8 ended up failing his RFI and will soon be deported, if he has not been already.

9 14. The New Trump Crime Victim Policy has also inhibited our ability to fully
10 represent our clients. In early 2025, an attorney in the Affirmative Immigration
11 Program was in the process of preparing a VAWA application for a community
12 member. She discussed the case at length with the client, including meeting with
13 her for over three hours as they prepared a declaration about the abuse the client
14 suffered at the hands of her U.S. citizen husband. During the process of preparing
15 her application, the client expressed significant concern about the President's
16 immigration policies. A few months later, as ICE ramped up immigration
17 enforcement, the client stopped responding to her lawyer altogether. Her lawyer
18 believes fear of ICE enforcement was a significant factor in her client abandoning
19 her VAWA application.

20 15. The Removal Defense Program is also currently representing a woman who is
21 detained at Mesa Verde detention center in a bond hearing. A key element to
22 securing release on bond is whether a noncitizen has a pathway to immigration
23 relief. Our client's only possibly pathway would be through her husband, who was
24 the victim of a serious crime and therefore eligible to apply for a U visa, because it
25 would give her derivative beneficiary status. Upon conferring with her husband to
26 explore filing the U Visa, he immediately shut the idea down. Although he had
27 reported this incident to the police and this form of relief would grant him and
28 multiple family members status, he was terrified at the thought of us contacting the
police department for a Supplement B certification. He was afraid somehow asking
for the certification would trigger ICE to go to his home. When informed the U
Visa process would also require him to get biometrics done at a USCIS Field
Office after submission, his immediate response was "why, so they can jail me

1 too? My children need me while my wife is with ICE.” We worry that our client
2 will now be denied bond because her husband is too scared to start the U visa
3 process.

4 16. The New Trump Crime Victim Policy also strains the Affirmative Immigration and
5 Removal Defense Programs’ resources. In addition to being unable to represent as
6 many individuals as we would like due to stricter screening methods, we have to
7 manage increased fear and stress levels of our existing clients. Many of our clients
8 have been reaching out more often than they normally would and need frequent
9 assurances that they will not be immediately deported, which we cannot give them.
10 At least one U visa client has told a staff member that she does not feel any
11 protection from her bona fide determination and is still scared to leave her house. It
12 also impacts the well-being of our staff to be exposed to such constant high levels
13 of stress and fear, and I worry about the staff members leaving LRCL because the
14 work has become too difficult. In addition, with the injection of record levels of
15 funding to DHS by the Big Beautiful Bill, I anticipate mass raids in the Bay Area
16 in the near future, similar to what has occurred in Los Angeles earlier this year. If
17 our clients are detained and/or placed in removal proceedings, it will be
18 devastating for our staff to watch them be detained and deported without any tools
19 to protect them, leading to low morale.

20 17. In sum, if it were not for the resources necessary to effectively represent our clients
21 and carry out our mission in response to New Trump Crime Victim Policy, LRCL
22 would be spending its time, money, and resources on other matters that would
23 advance our mission, including by representing more immigrants in the Latino
24 community who need our services.
25
26
27
28

1 I certify under penalty of perjury that the foregoing statement is true and correct.
2 Executed on October 14, 2025

3
4 
5

6 _____
7 Jordan Weiner
8 Legal Director, Removal Defense Program
9 La Raza Centro Legal
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CENTER FOR HUMAN RIGHTS &
CONSTITUTIONAL LAW
Bardis Vakili (Cal. Bar No. 247783)
bardis@centerforhumanrights.org
Sarah E. Kahn (Cal. Bar No. 341901)
sarah@centerforhumanrights.org
Erika Cervantes (Cal. Bar No. 344432)
erika@centerforhumanrights.org
1505 E 17th St. Ste. 117
Santa Ana, CA 92705
Tel: (909) 274-9057

Attorneys for Plaintiffs

Additional counsel listed on following page

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

Immigration Center for Women and
Children, et. al.,

Plaintiffs,

v.

Kristi Noem, et. al,

Defendants.

Case No.: 2:25-cv-09848-AB-AS

**DECLARATION OF ANGELICA
SALAS IN SUPPORT OF
PLAINTIFFS' MOTION FOR APA §
705 RELIEF AND PRELIMINARY
INJUNCTION**

Additional Counsel for Plaintiffs:

LA RAZA CENTRO LEGAL

Stephen A. Rosenbaum (Cal. Bar No. 98634)

srosenbaum@law.berkeley.edu

Jordan Weiner (Cal. Bar No. 356297)

jordan@lrcl.org

474 Valencia Street, Suite 295

San Francisco, CA 94103

Tel: (415) 575-3500

PUBLIC COUNSEL

Rebecca Brown (Cal. Bar No. 345805)

rbrown@publiccounsel.org

Kathleen Rivas (Cal. Bar No. 333600)

krivas@publiccounsel.org

610 South Ardmore Ave.

Los Angeles, CA 90005

Tel: (213) 385-2977

COALITION FOR HUMANE IMMIGRANT RIGHTS

Carl Bergquist (DC Bar 1720816)*

cbergquist@chirla.org

2351 Hempstead Road

Ottawa Hills, OH 43606

Tel: (310) 279-6025

Adam Reese (Cal. Bar No. 362898)

areese@chirla.org

2533 W 3rd Street, #101

Los Angeles, CA 90057

Tel: (213) 353-1333

* Admitted pro hac vice

DECLARATION OF ANGELICA SALAS

I, Angelica Salas, declare and state as follows:

1. My name is Angelica Salas, and I submit this declaration in support of Plaintiffs' Motion for APA § 705 Relief and Preliminary Injunction.
2. I am the Executive Director of the Coalition for Humane Immigrant Rights ("CHIRLA"). I have been working at CHIRLA for 30 years.
3. CHIRLA is a nonprofit and membership organization headquartered in Los Angeles, California, with eight offices throughout California. CHIRLA has approximately 52,142 active members across California. CHIRLA's membership includes U-Visa applicants.
4. CHIRLA was founded in 1986 to advance the human and civil rights of immigrants and refugees. CHIRLA's mission is to achieve a just society, fully inclusive of immigrants.
5. CHIRLA has a range of programs and initiatives geared towards supporting immigrant communities, including but not limited to: (1) Organizing & Leadership Development; (2) Policy & Advocacy; (3) Civic Engagement & Political Empowerment; (4) Legal Services; (5) Community Education & Outreach; and (6) Humanitarian Response and Migrant Assistance.
6. CHIRLA seeks to protect the constitutional and statutory rights of its immigrant members, including its U-Visa applicant members.
7. CHIRLA's community education team crafts presentations and materials and uses well-established networks to distribute them, helping immigrants understand (1) labor, civil, and human rights; (2) the policies and programs that affect them; and (3) civic action.
8. CHIRLA has been widely recognized as a community trusted organization in diverse communities throughout the state of California. This has been possible in great part to its robust and continued community education and outreach efforts in diverse communities across the state. Through its well-

1 attended community informative workshops, CHIRLA has been able to
2 successfully engage, inform, and empower communities for nearly forty
3 years. These workshops are delivered to communities across areas that
4 include Los Angeles County, Orange County, San Bernardino and Riverside
5 Counties, and Central Valley California regions. Our Immigration 101
6 workshops provide critical information to communities on a series of legal
7 paths towards permanent residency and U.S. citizenship. These workshops
8 have not only had a significant impact in many diverse communities, but it
9 has established CHIRLA as a trusted community messenger organization.

9. In fact, CHIRLA provides community education concerning the U-Visa, T-Visa, and VAWA. These immigrant survivor-based visas are discussed in CHIRLA's "Path to Immigration 101" workshop. The "Path to Immigration 101" workshop is conducted primarily in-person, including at community events. In the last fiscal year, this workshop reached approximately 3,988 people, the majority of whom are undocumented. The purpose of the "Path to Immigration 101" workshop is to raise awareness within the community about the forms of immigration relief available, and to help folks understand who might be eligible for such relief. Further, the goal of this workshop is also to inform and encourage individuals to seek appropriate legal guidance.
10. Since February 2025, despite our reputation being built painstakingly over time, CHIRLA has observed a noticeable decline in attendance particularly among U-Visa and VAWA applicants to our Know Your Rights workshops. We attribute this squarely to ICE Policy Number 11005.4. This trend reflects heightened fear and palpable uncertainty in the communities we serve, with many community members now hesitant to attend these community workshops. Similarly, the noticeable decline in attendance undermines a broader community confidence in accessing vital information and resources for which they are eligible, often due to their immigration status, e.g. U-Visa applicants and VAWA self-petitioners.
11. CHIRLA is also recognized by the Board of Immigration Appeals and offers low-cost immigration legal services. Licensed attorneys supervise all legal staff, including accredited representatives and paralegals. CHIRLA's legal services include student assistance, removal defense, family-based

1 petitions, naturalization, and Deferred Action for Childhood Arrivals
2 (DACA).

3 12. CHIRLA's Family Unity team offers legal representation to victims of
4 crime applying for VAWA and U visas.

5 13. CHIRLA's Student Legal Services team also provides legal assistance to U
6 visa petitioners and VAWA self-petitioners.

7 14. CHIRLA currently represents 269 clients with pending U visa applications
8 with USCIS. Of CHIRLA's pending U-Visa clients, 110 have a bona fide
9 determination from USCIS, approximately 37 have a waiting list
10 determination, 137 have work permits, at least 11 have deferred action, 158
11 are waiting for a bona fide determination from USCIS, at least one has
12 regular ICE check-ins, and 18 are in removal proceedings.

13 15. CHIRLA currently represents 7 clients who survived domestic violence
14 from their spouses and have pending VAWA self-petitions. Of CHIRLA's
15 pending VAWA clients, three have work permits, one has deferred action,
16 and three have received prima facie determinations.

17 16. Since February 2025, several CHIRLA staff handling U-Visa and VAWA
18 clientele have noticed an increased interest in assistance, but notably, after
19 initial consultations, and entry into engagement contracts, an unusually high
20 number have fallen out of these contracts or failed to follow up with our
21 staff. Clients say this very directly, that they are now afraid of submitting
22 their personal information to USCIS because of the new enforcement
23 approach, exemplified by the new ICE Policy

24 17. One U-visa applicant client and their derivative child applicant were
25 deported from the U.S. in late March or early April 2025 — before she
26 received her bona fide determination. Other applicants who remain in the
27 country are terrified of attending their biometrics appointments, assuming
28 that these could be traps used to detain and deport them. This fear took root
in the months following February 2025, as word spread among U Visa
applicants that their protections had truly been stripped away — some of
these individuals had initially believed this to be a false rumor. Our staff has
dedicated additional resources to explaining these through the risks

1 associated with attending and not attending these appointments. This
2 includes explaining that if they do not attend, the applications will be
3 considered abandoned, further increasing the risk of deportation.

4
5 18. Contract openings with all clients, including U-visa clients, take a lot longer
6 since February 2025 because it's more difficult for potential applicants to
7 weigh the risks of applying. Knowing that USCIS can act as an enforcement
8 agency deters people from deciding to pursue the U-visa, especially
9 knowing the long wait time during which they'll be unprotected. One family
10 in particular had a very hard time deciding whether they wanted to pursue
11 the U-visa given the impact of ICE Policy Number 11005.4. In addition,
12 between 5-10 clients have said that they are too afraid of submitting
13 applications due to their own histories, which they fear would make them
14 targets of ICE Policy Number 11005.4.

15
16 19. Two of our clients have been deported pursuant to ICE Policy Number
17 11005.4 and our relationships with them and their derivatives have been
18 terminated as CHIRLA, due to the requirements of the grants that fund our
19 work, cannot represent them unless they are in California.

20
21 20. Immigrant survivors of domestic violence have shared with CHIRLA that
22 they did not want to report their abuser for fear of enforcement.

23
24 21. ICE Policy Number 11005.4 interferes with and frustrates our mission and
25 our core business activities of providing legal representation and community
26 education by instilling so much fear and stress in our clients that some no
27 longer feel it is safe or worthwhile to seek CHIRLA's services. We have
28 also noticed that clients who in the past would have been strong U Visa
candidates are now declining to report crimes against them to the police due
to a fear of authority figures that was not there before, now that they know
they do not enjoy the protections that a U Visa application once provided.

29
30 22. To counteract the barriers imposed by ICE Policy Number 11005.4, and to
31 ensure that we continue carrying out our mission and core business activities
32 of community education and outreach, CHIRLA has been forced to divert its
substantial time, money, and operational capacity to reestablish community
trust and access to services and resources that are critical to its target

audiences. CHIRLA has developed new community outreach formats that demand significantly more time, operational cost and personnel capacity. For example, our Know Your Rights curriculum has had to be revised to account for the new threat environment for U-Visa and VAWA applicants at the same time as efforts to reach them in the first place and to organize these workshops in a way that makes these attendees comfortable enough to attend have had to be greatly strengthened.

23. For our legal services, it is the same story. Everything takes longer now due to the fear that going through the U Visa application process and engaging in any necessary follow up could lead to the applicant being arrested and deported. What used to be a 5-minute process of e.g. picking up documents, many clients now want to sit down and be reassured that it is not risky for them to go through this process, but we cannot offer them such assurances in light of ICE Policy Number 11005.4. Instead, we spend, in some cases, 30 minutes to an hour telling them what they can expect in terms of the increased risk environment around applying and having contact with government officials and offices and speaking to their fears. It is simply a lot harder for clients to make informed decisions about what to do with their cases, and the time to get them to a place where they can make decisions has increased many times over. In addition, we have to do more research on some clients' cases than we would have had to do prior to ICE Policy Number 11005.4 in order to assess if and how the risks faced by that particular client have changed in light of the Policy. Moreover, the increased risk facing U Visa applicants and VAWA self-petitioners makes it challenging to gain a client's basic trust when our staff have previously said one thing at a meeting, only to have it be contradicted due to policy changes and their implementation.

24. If it were not for the resources necessary to represent our clients and educate survivors of crime and domestic violence and carry out our mission in response to ICE Policy Number 11005.4, CHIRLA would have spent its time, money, and resources on other matters, that would advance our mission, including by investing in our other programs and initiatives, and representing more immigrants who need our services.

1 25.CHIRLA also has several members with pending U visa petitions who have
2 been impacted by ICE Policy Number 11005.4.

3
4 **CHIRLA MEMBER #1**

5 26.One member is the derivative child of a U-Visa principal petitioner, i.e. his
6 mother. This member first came to the United States with his mother back in
7 April 2019, when he was just eleven years old. This member has not left the
8 United States since. Since age 11, he has attended school in the United
9 States. This member is now 17 years old. After high school, he dreams of
10 pursuing higher education for a better life. In the United States, he lives with
11 his mother and his four siblings. His youngest sibling is 3 and was born in
12 the United States. The second-youngest sibling is 9, the third-youngest
13 sibling is 13, and his oldest sibling is 19 and has a developmental disability.
14 Apart from attending high school, he helps take care of the household and
15 his siblings.

16 27. Around July 2023, the member's mother survived an armed
17 robbery/felonious assault. His mother gave a statement to responding
18 officers and told them that she would be willing to testify in court if needed.
19 Due in part to her cooperation, the suspect was arrested for the armed
20 robbery, and nine other related robberies.

21 28. As a result of ICE Policy Number 11005.4, and after February 2025, this
22 member and his family are very fearful of deportation; this fear has
23 substantially increased since the beginning of the Trump administration.

24 29.Since February 2025, this member is very fearful that any contact with law
25 enforcement could put them at risk of deportation.

26 30. Despite having received a BFD and employment authorization in August
27 2025 by USCIS, this member is fearful that their pending U-Visa application
28 and deferred action will not protect them from immigration enforcement.

31.Since February 2025, this member has been scared to leave his home. This
fear was particularly pronounced around June 2025. This fear of detention

1 caused him to miss a week of school at the beginning of his school year.
2 Unless necessary, this member tries to avoid leaving his home.

3 32. This member has a master calendar hearing scheduled for November 19,
4 2025. He wants to attend his hearing, as required, but he is scared that he
5 and his mother will be detained upon their court appearance.

6 **CHIRLA MEMBER #2**

7 33. Another CHIRLA member is a U-visa petitioner. She has a signed lease in
8 Los Angeles, California. In April 2025, she got married to a U.S. citizen.
9 She runs her own housekeeping business and has three United States Citizen
10 children. Her 18-year-old child attends university in the United States. Her
11 14-year-old and 15-year-old children attend high school in the United States.
This member attends their respective high school parent meetings.

12 34. As a result of ICE Policy Number 11005.4 and after February 2025, this
13 member fears arrest, detention, and deportation. For her removal case, her
14 private attorney received a motion to reopen her administratively closed
15 case.

16 35. Since February 2025, this member has witnessed, from her balcony, an
17 incident where ICE went to a King Taco directly below her apartment in Los
18 Angeles, California. To maintain safety, she closed the door.

19 36. Since February 2025, this member has not gone out on the weekends as
20 much, has encouraged her kids to go out without her, has changed her work
21 schedule to go out early in the morning or very late at night, has stopped
22 taking her kids to school (the children take a bus instead), and a client of
hers buys her groceries every week.

23 **CHIRLA MEMBER #3**

24 37. This member is a U-visa applicant, and the indirect victim of sexual assault
25 committed against her minor daughter. She was instrumental in supporting
26 her daughter through the investigation and reporting of her crime. She is the
27 single mother of two daughters, the youngest of whom is currently attending
28 high school in the United States. She works as a street vendor and
housekeeper. She is the sole provider of her family.

1
2 38. Since June 2025, the increase in immigration enforcement and raids have
3 caused this member significant financial hardship. For instance, she has
4 been unable to sell her tamales due to fear of ICE activity. Due to her fears
5 with ICE, it's been impossible to set up her vending station and her
6 housekeeping work has become unstable. Despite her fear of deportation,
7 she has needed to take the risk to go outside to make a living. She's
8 currently facing the possibility of eviction because she's two months behind
9 on rent.

10 39. This member understands that now, under the Trump administration, her U-
11 Visa application cannot protect her from detention or deportation, even
12 though previously U-Visa applicants were supposed to be afforded this
13 protection.

14 40. This member has received word of immigration enforcement actions
15 occurring in her neighborhood.

16 41. Since June 2025, she lives in constant fear of deportation as a result of ICE
17 Policy Number 11005.4 stripping her of key legal protections.

18
19 I declare under penalty of perjury of the laws of the State of California and the
20 United States that the foregoing statements are true and correct. Executed on this
21 14th day of November 2025, in Los Angeles, California.

22
23 Dated: November 14, 2025

Respectfully submitted,

24
25 /s/ Angelica Salas
26 Angelica Salas
27
28

CENTER FOR HUMAN RIGHTS &
CONSTITUTIONAL LAW
Bardis Vakili (Cal. Bar No. 247783)
bardis@centerforhumanrights.org
Sarah E. Kahn (Cal. Bar No. 341901)
sarah@centerforhumanrights.org
Erika Cervantes (Cal. Bar No. 344432)
erika@centerforhumanrights.org
1505 E 17th St. Ste. 117
Santa Ana, CA 92705
Tel: (909) 274-9057

Attorneys for Plaintiffs

Additional counsel listed on following page

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

Immigration Center for Women and
Children, et. al.,

Plaintiffs,

v.

Kristi Noem, et. al,

Defendants.

Case No.: 2:25-cv-09848-AB-AS

**DECLARATION OF DANIEL EDWARD
LOGAN, JR., CHIEF DEPUTY
ATTORNEY GENERAL OF DELAWARE
DEPARTMENT OF JUSTICE**

Additional Counsel for Plaintiffs:

LA RAZA CENTRO LEGAL

Stephen A. Rosenbaum (Cal. Bar No. 98634)

srosenbaum@law.berkeley.edu

Jordan Weiner (Cal. Bar No. 356297)

jordan@lrcl.org

474 Valencia Street, Suite 295

San Francisco, CA 94103

Tel: (415) 575-3500

PUBLIC COUNSEL

Rebecca Brown (Cal. Bar No. 345805)

rbrown@publiccounsel.org

Kathleen Rivas (Cal. Bar No. 333600)

krivas@publiccounsel.org

610 South Ardmore Ave.

Los Angeles, CA 90005

Tel: (213) 385-2977

COALITION FOR HUMANE IMMIGRANT RIGHTS

Carl Bergquist* (DC Bar 1720816)

cbergquist@chirla.org

2351 Hempstead Road

Ottawa Hills, OH 43606

Tel: (310) 279-6025

Adam Reese (Cal. Bar No. 362898)

areese@chirla.org

2533 W 3rd Street, #101

Los Angeles, CA 90057

Tel: (213) 353-1333

** Admitted Pro Hac Vice*



KATHLEEN JENNINGS
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
820 NORTH FRENCH STREET
WILMINGTON, DELAWARE 19801

CIVIL DIVISION (302) 577-8400
CRIMINAL DIVISION (302) 577-8500
FRAUD DIVISION (302) 577-8600
FAX (302) 577-2610

DECLARATION

I, Daniel Edward Logan Jr., declare and state as follows:

1. My name is Daniel Edward Logan Jr., and I submit this declaration to explain the detrimental impact that detaining and removing U-Visa applicants, despite deferred action status, has on public safety and the administration of justice.
2. I am the Chief Deputy Attorney General for the Delaware Department of Justice, the highest unelected position in a Department of nearly 550 employees responsible for the statewide administration of criminal prosecution.
3. I have 19 years of criminal prosecution experience, both in the State of Delaware and the United States Attorney's Office for the District of Delaware, where I also served as the first "Border Security Coordinator." I have experience prosecuting all types of crimes from state traffic offenses to homicides. As an Assistant United States Attorney, I also prosecuted approximately 200 Illegal Reentry cases during the first term of President Trump.
4. The Delaware Department of Justice has full criminal jurisdiction in the State. There are no local district attorneys. The Delaware Attorney General is the chief law enforcement officer of the state. As such, we are responsible for the protection of our cooperating witnesses and victims.
5. When a cooperating witness or a victim is an undocumented individual, we routinely offer certification in the U-Visa process when appropriate. As a state prosecutor, I have likely reviewed or certified over 100 U-Visa applications to ensure that the applicant met the criteria set forth for the process, namely that the crime qualified and that the victim cooperated substantially.
6. Compounding the normal concerns shared almost universally by victims and witnesses to violent offenses (fear, trauma, anxiety of seeing the perpetrator in a court room), many undocumented witnesses and victims also fear immigration consequences. The U-Visa is an essential part of assuring undocumented victims that the State will do everything she can to protect the necessary witness in exchange for full cooperation with law enforcement.
7. U-Visas are critical for the justice system. So too is honoring the deferred action status of individuals who courageously agree to cooperate with law enforcement.

8. Recently, my office had to intervene on behalf of an undocumented female who was the victim of a 2019 domestic violence stabbing. The defendant, her husband, was also undocumented. In a fit of rage, he stabbed her in the stomach before fleeing the scene.
9. Without the assistance of the victim, the State would have been unable to prosecute this matter, but she was understandably afraid of the consequences, including but not limited to, immigration removal. The victim found the courage and cooperated with our office enough to secure a plea against her husband. Following his conviction, the defendant was removed to his Central American country of origin.
10. In consideration of the bravery she displayed in the successful prosecution of her violent husband, the State of Delaware certified her U-Visa application. She was placed in deferred action status awaiting the formal determination of the application.
11. She was in that deferred action status when Immigration and Customs Enforcement (ICE) and U.S. Marshals entered her home in search of a relative. Her son was struck in the face by the doorknob as officers cleared entry. In the commotion, the victim, who spoke little to no English, continued to yell "No." That universal sound of disapproval went unheeded as officers stormed the home and arrested her relative. They were not there for her, and she did not forcefully resist them.
12. As an Assistant United States Attorney in the District of Delaware for seven years, I know that ICE religiously honored deferred action status if the individual is collateral to their purpose. Here, the victim was not ICE's target and validly had deferred action status from her 2019 stabbing prosecution cooperation. Nevertheless, ICE detained her, and transported her over 1200 miles away from her teenage kids to Monroe, Louisiana.
13. The callous nature of the administration's stance on collateral arrests, especially those who helped the justice system secure convictions of violent individuals, is alarming. It threatens the very core principal of public safety. The State of Delaware simply cannot assure victims and witnesses that cooperation with the State affords some protection when the federal government is free to disregard even established concepts like deferred action under U-Visas.

I declare under penalty of perjury and under the laws of the United States of America that the foregoing is true and correct.



Daniel Edward Logan Jr.

November 4, 2025
Date

CENTER FOR HUMAN RIGHTS &
CONSTITUTIONAL LAW
Bardis Vakili (Cal. Bar No. 247783)
bardis@centerforhumanrights.org
Sarah E. Kahn (Cal. Bar No. 341901)
sarah@centerforhumanrights.org
Erika Cervantes (Cal. Bar No. 344432)
erika@centerforhumanrights.org
1505 E 17th St. Ste. 117
Santa Ana, CA 92705
Tel: (909) 274-9057

Attorneys for Plaintiffs

Additional counsel listed on following page

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

Immigration Center for Women and
Children, et. al.,

Plaintiffs,

v.

Kristi Noem, et. al,

Defendants.

Case No.: 2:25-cv-09848-AB-AS

DECLARATION OF OSCAR MONTES

Additional Counsel for Plaintiffs:

LA RAZA CENTRO LEGAL

Stephen A. Rosenbaum (Cal. Bar No. 98634)

srosenbaum@law.berkeley.edu

Jordan Weiner (Cal. Bar No. 356297)

jordan@lrcl.org

474 Valencia Street, Suite 295

San Francisco, CA 94103

Tel: (415) 575-3500

PUBLIC COUNSEL

Rebecca Brown (Cal. Bar No. 345805)

rbrown@publiccounsel.org

Kathleen Rivas (Cal. Bar No. 333600)

krivas@publiccounsel.org

610 South Ardmore Ave.

Los Angeles, CA 90005

Tel: (213) 385-2977

COALITION FOR HUMANE IMMIGRANT RIGHTS

Carl Bergquist* (DC Bar 1720816)

cbergquist@chirla.org

2351 Hempstead Road

Ottawa Hills, OH 43606

Tel: (310) 279-6025

Adam Reese (Cal. Bar No. 362898)

areese@chirla.org

2533 W 3rd Street, #101

Los Angeles, CA 90057

Tel: (213) 353-1333

DECLARATION OF ATTORNEY OSCAR RENE MONTES

I, Oscar Rene Montes, declare and state as follows:

Background

1. My name is Oscar Rene Montes, and I submit this declaration in support of Immigration Center for Women and Children v. Noem, Case No. 2:25-cv-009848.
2. I am a Supervising Attorney at the Immigration Center for Women and Children's Los Angeles office, located at 634 S. Spring Street, Suite 727, Los Angeles, CA, 90014.
3. I am licensed to practice law in the states of New York and California. I primarily represent survivors of crimes and domestic violence in applications for U Nonimmigrant Status and VAWA self-petitions, and also represent unaccompanied children in their applications for relief.

Summary of Detained Client with Pending Application for U Nonimmigrant Status and Deferred Action

4. Our office represents Ms. EKM in her petition for U Nonimmigrant Status, which was filed on August 28, 2023. Ms. EKM is the survivor of domestic violence who cooperated with the Los Angeles Police Department in the investigation against her abuser.
5. Ms. EKM attended a check-in appointment with ICE ERO office at 300 N. Los Angeles Street in Los Angeles, California on September 22, 2025. At that appointment, she was detained and transferred to the Adelanto ICE Processing Center. To my knowledge, she is still detained at Adelanto.
6. On October 29, 2025, our office received an I-765 approval notice for an Employment Authorization Document ("EAD") for Ms. EKM in the (c)(14) category, which pertains to individuals who have been granted deferred action. On November 3, 2025, our office received the EAD for Ms. EKM.
7. On November 5, 2025, I filed an I-246 Application for Stay of Deportation or Removal at the ICE ERO field office in Los Angeles.
8. On November 7, 2025, Ms. EKM called me from detention and informed me that ICE would be trying to remove her that day. I spoke to an officer who informed and advocated for her removal to be halted for several reasons.
9. I explained that I had filed a request for a Stay and submitted evidence of this to the Deportation Officer assigned to Ms. EKM's case. He informed me that her stay of removal had been denied.

10. I explained that Ms. EKM had been granted deferred action, and that this deferred action had not been revoked by USCIS. The Officer told me that having deferred action does not affect ICE and that they are able to remove her despite the grant.
11. I also told them that a request for a Temporary Restraining Order ("TRO") had been filed in Federal Court, to which the officer responded that until a TRO was issued, ICE was free to move forward with her removal.
12. Later that afternoon, I received an email from Anthony Santana, Supervisory Detention and Deportation Officer, Detained Docket, at the Adelanto ICE Processing Center, saying: "Please be advised that there is currently no legal impediment to removal. While the initial determination of your clients nonimmigrant U visa application was deemed prima facie eligible, this does not preclude ERO from carrying out your client's removal."
13. I was later contacted by Ms. EKM and told that she was taken to the border but not removed and returned to Adelanto.

I declare under penalty of perjury and under the laws of the United States of America that the foregoing is true and correct.

Date: November 12, 2025



Oscar Rene Montes