

From: Abdelall, Brenda (b)(6)
(b)(6)
Sent: 12/7/2023 2:41:27 PM
To: Youngberg, Francey L (b)(6); SNYDER, NATHANIEL (b)(6)
Administrative Group (b)(6)
Subject: RE: Winn Correctional Center

Thank you! I sent this off to ExecSec!

From: Youngberg, Francey L (b)(6)
Sent: Wednesday, December 6, 2023 1:19 PM
To: Abdelall, Brenda (b)(6); SNYDER, NATHANIEL (b)(6)
Subject: FW: Winn Correctional Center

FYSA, I acknowledged Hillary's letter.

Francey Lim Youngberg

Assistant Director
Department of Homeland Security/Immigration and Customs Enforcement
Office of Partnership and Engagement

(b)(6)

From: Hillary Li (b)(6)
Sent: Wednesday, December 6, 2023 1:04 PM
To: Mayorkas, Alejandro (b)(6); Murray, Royce (b)(6); Trickler-McNulty, Claire (b)(6)
(b)(6) (b)(6)
(b)(6) Lechleitner, Patrick J (b)(6); Fleischaker, Deborah
(b)(6) Shuchart, Scott L (b)(6); Krishnaswami, Charanya
(b)(6) Youngberg, Francey L (b)(6)
(b)(6)
Cc: Setareh Ghandehari (b)(6); Caitlin Bellis (b)(6); Sarah Decker
(b)(6) (b)(6); Tania Wolf (b)(6)@splcenter.org>
Subject: Winn Correctional Center

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Dear Secretary Mayorkas,

For years, advocates, the media, and detained immigrants have reported grievous abuse and inhumane conditions at **the Winn Correctional Center in Louisiana**. These are reports that DHS and ICE have long been aware of: in 2021, the DHS Office of Civil Rights and Civil Liberties documented a "culture and conditions that can lead to abuse" and recommended that ICE draw down the population to zero. In early 2022, we were glad to see that the administration had slated the facility for a serious reduction in population. However, Winn remains at full capacity today, while the reasons for its closure remain the same.

A coalition of advocates in Louisiana—the Southeast Dignity Not Detention coalition—has formed to support people detained at Winn and other facilities under the New Orleans ICE Field Office, amplify their stories and demands, and call for closure of the network of deeply entrenched jails in the region. **Groups in this coalition have highlighted Winn as one of the clearest examples of the horrific inadequacies and culture of violence in immigration detention.**

We are writing today in support of the demand to end the Winn contract and to share the **attached letter and brief** that outline extensive documentation of the abuses that have occurred during Winn's short history as an ICE facility. As you know, ICE's contract at Winn is set to expire on May 15, 2024. **We ask that ICE allow this contract to expire and shut down operations at Winn Correctional Center for good.** Nearly 40 national, state, and local organizations have joined the brief in support of this demand.

We appreciate your attention to this matter. Should you or your colleagues have any questions, please do not hesitate to reach out to me or my colleagues copied here.

Sincerely,
Hillary Li

--
Hillary Li (she/her/hers)
Policy Counsel
Detention Watch Network | 1730 Rhode Island Ave NW, Suite 707 Washington, DC 20036
www.detentionwatchnetwork.org | Twitter: @DetentionWatch

From: Youngberg, Francey L (b)(6)
Sent: 12/6/2023 6:17:43 PM
To: 'Hillary Li' (b)(6); Murray, Royce (b)(6); Trickler-McNulty, Claire (b)(6); Lawrence, Elisabeth H. (b)(6); Ojeda, Ursela M. (b)(6); Lechleitner, Patrick J (b)(6); Fleischaker, Deborah (b)(6); Shuchart, Scott L (b)(6); Krishnaswami, Charanya (b)(6); Wamsley, Camilla H. (b)(6)
CC: Setareh Ghandehari (b)(6); Caitlin Bellis (b)(6); Decker (b)(6); Tania (b)(6)@splcenter.org]
Subject: RE: Winn Correctional Center

Thank you for sharing this, Hillary.

Francey Lim Youngberg

Assistant Director
Department of Homeland Security/Immigration and Customs Enforcement
Office of Partnership and Engagement
Fra (b)(6)

From: Hillary Li (b)(6)
Sent: Wednesday, December 6, 2023 1:04 PM
To: Mayorkas, Alejandro (b)(6); Murray, Royce (b)(6); Trickler-McNulty, Claire (b)(6); Elisabeth.H.Lawrence@who.eop.gov; Lechleitner, Patrick J (b)(6); Fleischaker, Deborah (b)(6); Shuchart, Scott L <Scott.(b)(6)> Krishnaswami, Charanya (b)(6); Francey (b)(6)
Cc: Setareh Ghandehari (b)(6); Caitlin Bellis (b)(6); Sarah Decker (b)(6); Tania (b)(6)@splcenter.org
Subject: Winn Correctional Center

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We are writing today in support of the demand to end the Winn contract and to share the **attached letter and brief** that outline extensive documentation of the abuses that have occurred during Winn's short history as an ICE facility. As you know, ICE's contract at Winn is set to expire on May 15, 2024. **We ask that ICE allow this contract to expire and shut down operations at Winn Correctional Center for good.** Nearly 40 national, state, and local organizations have joined the brief in support of this demand.

We appreciate your attention to this matter. Should you or your colleagues have any questions, please do not hesitate to reach out to me or my colleagues copied here.

Sincerely,
Hillary Li

--
Hillary Li (she/her/hers)
Policy Counsel
Detention Watch Network | 1730 Rhode Island Ave NW, Suite 707 Washington, DC 20036
www.detentionwatchnetwork.org | Twitter: @DetentionWatch

From: Mich Gonzalez (b)(6)@splcenter.org

Sent: 11/24/2021 5:33:22 PM

To: Perry, Timothy C (b)(6)

(b)(6); KELLEY, ANGELA

(b)(6); Murray, Royce

CC: Katrina Huber (b)(6)@splcenter.org]

Subject: Update & Thank You

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

Good afternoon,

I just wanted to inform you that (b)(6) paper work for release is being processed and to thank you for any efforts you made in raising his case to the attention of career officials with ICE who made the decision.

Wishing you all a joyful and restful holiday,
Mich on behalf of the SPLC detention team



Mich P. González *él/la/they*
Associate Director of SIFI Advocacy | Legal
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From: Mich Gonzalez

Sent: Tuesday, November 23, 2021 12:04 PM

To: 'Perry, Timothy C' (b)(6) 'KELLEY, ANGELA' (b)(6) 'Murray, Royce'

(b)(6) 'Correll, Donnesha' (b)(6) 'Salvano-Dunn, Dana'

(b)(6) 'CULLITON-GONZALEZ, KATHERINE' (b)(6)

Cc: Katrina Huber (b)(6) Erin Argueta (b)(6)

Subject: RE: Release Black Torture & Slavery Survivors - Rare Language Speakers w/ Mental Health Deterioration - NOT Priorities for Enforcement

Good afternoon,

I hope you're all getting ready to enjoy time with loved ones for the holiday.

I am writing to share an update in one of the below cases that highlights the issue of failed language access contributing to the wrongful prolonged detention of arriving asylum seekers. As you can see in the attached, several weeks after submitting our RFR on (b)(6) behalf, the Houston asylum office has now twice rescheduled his FIG (further information gathering interview) due to lack of Fula-Pulaar interpreter instead of just issuing him a rare language NTA and in spite of our submitting his sworn affidavit, addressing errors/inconsistencies in his original CFI and squarely demonstrating his credible fear of return to Mauritania as a man who was subjected to conditions of slavery for being

Black (see attached sworn affidavit dated October 8, 2021). (b)(6) detention has already been unjustly extended by two weeks and there is no guarantee the same issue will not arise on December 1st when his FIG is next scheduled. In fact, the interpreter provided will likely not even speak the correct dialect of Pulaar, as was the case during (b)(6) original CFI. The situation is even worse for our Burkinabe clients (whose cases are summarized in the below thread under #s 2, 4 and 5, where the asylum offices will not even offer them FIGs in their correct language because they simply do not have access to ANY Bissa or Gourmanche interpreters).

To our knowledge, the attached rare language memo still applies and we do not understand why the Houston and Arlington asylum offices are not following it. What we do know is that this failure is not a good enough policy rationale for ICE to continue detaining these men, whose families and friends are also waiting for them at home, to share a hot meal around the dinner table. I'll be thinking of them this week as I sit with mine, and hoping that something can be done to facilitate their reunion.

3. (b)(6) Richwood Correctional, LA – (b)(6) has languished in detention for **over 7 months** through no fault of his own. The Houston Asylum Office erred in using an interpreter who speaks the incorrect dialect of Fulani for (b)(6) CFI and they failed to properly assess his claim as a survivor of enslavement in Mauritania due to his race as Black. (b)(6) erroneous negative CFI is the sole reason he remains in ICE custody. We urge DHS to release him now that his detention has become prolonged. (b)(6) mental health is severely deteriorating and his U.S. citizen cousin, (b)(6) waiting to welcome him home at (b)(6)

Well wishes to you and your loved ones,
Mich, on behalf of the SPLC immigrant detention team



Mich P. González *she/they*
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From: Mich Gonzalez
Sent: Monday, November 22, 2021 12:02 PM
To: Perry, Timothy C (b)(6); KELLEY, ANGELA (b)(6); Murray, Royce (b)(6); Correll, Donnesha (b)(6); Salvano-Dunn, Dana (b)(6); (b)(6); CULLITON-GONZALEZ, KATHERINE (b)(6)
Cc: Katrina Huber (b)(6)@spicenter.org; Erin Argueta (b)(6)@spicenter.org
Subject: RE: Release Black Torture & Slavery Survivors - Rare Language Speakers w/ Mental Health Deterioration - NOT Priorities for Enforcement

Good afternoon,

Thank you for your continued attention to these cases. I write with more updates and clarifying information on our requests below.

1. (b)(6) Richwood Correctional, LA – Ibrahim was released this weekend and has safely arrived home to his family. We, and his loved ones, thank you for any efforts you made on his behalf.

2. (b)(6), **Winn Correctional, LA** – (b)(6) has languished in detention for **over 7 months** through no fault of his own. The Houston Asylum Office grievously erred in forcing (b)(6) to proceed with his CFI in French, despite his explicit request for a Bissa interpreter because he does not speak French fluently. Since then they have repeatedly declined to consider our requests that he be reinterviewed using the correct language interpretation or that a rare language NTA be issued. (b)(6) legally erroneous negative CFI is the sole reason he remains in ICE custody. (b)(6) is a survivor of brutal violence at the hands of militarized Islamic extremists in Burkina Faso. We **urge CRCL** to intervene on his behalf with the Houston asylum office and we urge DHS to release him now that his detention has become prolonged. (b)(6) mental health is severely deteriorating and his U.S. citizen cousin (b)(6) (b)(6) is eagerly waiting for him at home at (b)(6)
3. (b)(6), **Richwood Correctional, LA** – (b)(6) has languished in detention for **over 7 months** through no fault of his own. The Houston Asylum Office erred in using an interpreter who speaks the incorrect dialect of Fulani for (b)(6) CFI and they failed to properly assess his claim as a survivor of enslavement in Mauritania due to his race as Black. (b)(6) erroneous negative CFI is the sole reason he remains in ICE custody. We urge DHS to release him now that his detention has become prolonged. (b)(6) s mental health is severely deteriorating and his U.S. citizen cousin, (b)(6) waiting to welcome him home at (b)(6) (b)(6)
4. (b)(6) **Winn Correctional, LA** – (b)(6) has languished in detention for **over 7 months** through no fault of his own. The Houston Asylum Office grievously erred in forcing (b)(6) to proceed with his CFI in French, despite his explicit request for a Bissa interpreter because he does not speak French fluently. Since then they have repeatedly declined to consider our requests that he be reinterviewed using the correct language interpretation or issue him a rare language NTA. (b)(6) legally erroneous negative CFI is the sole reason he remains in ICE custody. (b)(6) is a survivor of brutal violence at the hands of militarized Islamic extremists in Burkina Faso. We **urge CRCL** to intervene on his behalf with the Houston asylum office and we urge DHS to release him now that his detention has become prolonged. (b)(6) mental health is severely deteriorating and his U.S. citizen sponsors with the community organization Home is Here are eagerly waiting to welcome him at (b)(6)
5. (b)(6) **Stewart Detention Center, GA** – (b)(6) has languished in detention for **nearly 6 months** through no fault of his own. The Arlington Asylum Office grievously erred in forcing (b)(6) to proceed with his CFI in French, despite his explicit request for a Gourmantché interpreter because he does not speak French fluently. Since then they have repeatedly declined to consider our requests that he be reinterviewed using the correct language interpretation or issue him a rare language NTA. (b)(6) legally erroneous negative CFI is the sole reason he remains in ICE custody. (b)(6) is a survivor of brutal violence at the hands of militarized Islamic extremists in Burkina Faso. We **urge CRCL** to intervene on his behalf with the Arlington asylum office and we urge DHS to release him now that he is rapidly approaching prolonged detention. (b)(6) mental health is severely deteriorating and his lawfully residing cousin, (b)(6) is eagerly waiting to welcome him home at (b)(6)
6. (b)(6) **Stewart Detention Center, GA** – (b)(6) has languished in detention for **over 6 months** through no fault of his own. The Arlington Asylum Office erred in failing to properly assess (b)(6) fear of return to Mauritania as a Black man subjected to a caste system that leaves him little choice but to accept slavery, indentured servitude or destitution. (b)(6) negative CFI as a result of the asylum office's failure is the sole reason he remains in ICE custody. We urge DHS to release (b)(6) now that his detention has become prolonged. (b)(6) mental health is severely

deteriorating and his lawfully residing cousin, (b)(6) is eagerly waiting to welcome him home at (b)(6)

Well wishes,

Mich on behalf of SPLC's immigrant detention team



Mich P. González *si/he/they*
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From: Mich Gonzalez

Sent: Friday, November 19, 2021 12:20 PM

To: Perry, Timothy (b)(6); KELLEY, ANGELA (b)(6); Murray, Royce

(b)(6); Correll, Donnesha (b)(6)

Cc: SIFI Louisiana (b)(6)@spicenter.org>; Erin Argueta (b)(6)@spicenter.org>

Subject: RE: Release Black Torture & Slavery Survivors - Rare Language Speakers w/ Mental Health Deterioration - NOT Priorities for Enforcement

Good afternoon,

Thank you all for your attention to these cases—it is deeply appreciated by our team. I am following up since my last email to provide more procedural posture information on these cases. My sincere apologies for not including this information in my first email to you. I will do so in the future and I will make every effort to ensure that any cases I raise to your attention have gone through the appropriate levels of review.

I will note, however, that it can sometimes be difficult to know this information because NOLA ICE *frequently* fails to respond to us at all and our clients are often in touch with other advocates due to their increasing desperation and those advocates may have escalated their cases to ICE Case Review without our knowledge. I will also share that I chose these cases carefully because they are time sensitive (either because the client is on the brink of a mental breakdown or because their removal was imminent—you'll see below that sadly, one of the men was already deported to Mauritania where he faces certain imprisonment and likely enslavement). Below is my best sense of the status of review for these cases:

1. (b)(6) **Richwood Correctional, LA** – Both NOLA ICE and ICE Case Review have been notified about this case. On 11/1/21 our team escalated it to ICE Case Review's attention because NOLA ICE never responded to our release request or even confirmed receipt of the request for over two weeks. ICE Case review responded that they were kicking it back to NOLA ICE.
2. (b)(6) **Winn Correctional, LA** – Both NOLA ICE and ICE Case Review have been notified about this case. (b)(6) has been begging for release from his DO for months. His non-SPLC advocate, (b)(6) escalated it to ICE Case Review but I don't have a date for that escalation. I also have been raising this case to the attention of CIS HQ, CRCL and the CIS Ombudsman for some time due to the flagrant refusal by the Houston Asylum Office to issue a rare language NTA or conduct a CFI in his actual best language of Bissa.

3. (b)(6), **Richwood Correctional, LA** – (b)(6) has raised his case up to NOLA ICE many times over the past few months, but I believe this is the first time his case has been raised with ICE Case Review.
4. (b)(6) **Winn Correctional, LA** - Both NOLA ICE and ICE Case Review have been notified about this case. (b)(6) has been begging for release from his DO for months. His non-SPLC advocate, Ruha, escalated it to ICE Case Review but I don't have a date for that escalation. I also have been raising this case to the attention of CIS HQ, CRCL and the CIS Ombudsman for some time due to the flagrant refusal by the Houston Asylum Office to issue a rare language NTA or conduct a CFI in his actual best language of Bissa.
5. (b)(6) **Previously Detained in Louisiana, Now at Orange County Correctional, NY** – Tragically, as noted above (b)(6) was deported to Mauritania since my last communication to you.
6. (b)(6) **Stewart Detention Center, GA** – (b)(6) s release request had already been raised to the Atlanta field office, but not to ICE Case Review.
7. (b)(6) **Stewart Detention Center, GA** – (b)(6) release request had already been raised to the Atlanta field office, but not to ICE Case Review.

Thank you again for your efforts and wishing you all a peaceful holiday break next week.

Respectfully,



Mich P. González @hethney
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From: Mich Gonzalez
Sent: Thursday, November 18, 2021 11:38 AM
To: Perry, Timothy C <(b)(6)>; KELLEY, ANGELA <(b)(6)>; Murray, Royce <(b)(6)>; NewOrleans.Outreach@ice.dhs.gov; ICECaseReview <ICECaseReview@ice.dhs.gov>
Cc: SIFI Louisiana <(b)(6)>; Erin Argueta <(b)(6)>@spicenter.org>
Subject: Release Black Torture & Slavery Survivors - Rare Language Speakers w/ Mental Health Deterioration - NOT Priorities for Enforcement

Good afternoon,

We write to raise to your attention a concerning pattern of Black, rare language asylum seekers being deprived of due process and subjected to triggering, prolonged detention despite the facts that (1) they pose no risk of harm to anyone and (2) they have compelling claims for asylum as men fleeing slavery, torture and religious terrorism. **This is deeply concerning to us and we plead with your offices to do all that is in your power to release these individuals to their lawfully residing loved ones who are eagerly waiting to receive them at home.** These men have languished in detention for months and some are wrongfully facing imminent removal. They are all asylum seekers with very strong claims. We are ready to help them move forward with their claims before fairer adjudicators upon their release.

1. (b)(6) **Richwood Correctional, LA - (b)(6)** is a Tigrinya speaker who was tortured in Eritrea because his father is a known political prisoner. As a torture survivor, he is experiencing *acute depression and PTSD* triggered by the conditions of his confinement. (b)(6) has no history of violence, criminal history or prior immigration history and his release request boasts over 80 pages of evidence including documents corroborating his identity, sponsor documents and evidence of his asylum claim. (b)(6) U.S. citizens sponsors, (b)(6) and (b)(6) are eagerly waiting to welcome him home at (b)(6). (b)(6) Our team is ready to ensure his safe travel to New Orleans with the help of our community partners on the ground. Yet the New Orleans ICE Field Office (NOLA ICE) refuses to consider his release.
2. (b)(6) **Winn Correctional, LA - (b)(6)** an asylum seeker and torture survivor who is suffering from *acute PTSD and depression* triggered by his prolonged detention. (b)(6) fled *militant Islamic terrorism in Burkina Faso*. Moreover, (b)(6) is a Bissa speaker who was refused a rare language NTA and denied a CFI in his native language. (b)(6) was forced to proceed with a CFI in his country's colonizer language of French, which led to outcome determinative errors resulting in a negative CFI. (b)(6) has no history of violence, criminal history or prior immigration history. His mental health is severely deteriorating and his U.S. citizen cousin, (b)(6) is eagerly waiting for him at (b)(6). Our team is ready to ensure his safe travel to New Orleans with the help of our community partners on the ground. Yet, NOLA ICE refuses to consider his release.
3. (b)(6) **Richwood Correctional, LA - (b)(6)** fled enslavement and racially motivated persecution in Mauritania. (b)(6) is a Mauritanian Fulani speaker who was provided an interpreter for a different dialect of Fulani (likely the more commonly available in the US, such as Nigerian or Cameroonian) during his CFI, which led to a wrongful negative determination. (b)(6) was subject to enslavement in Mauritania—he was forced to work without pay and when he refused he was thrown into a squalid prison and subjected to racially motivated abuse until he agreed to resume working without pay. He was beaten, forced to drink dirty water, forced to defecate in a hole with 2-3 other incarcerated Black men while guards stood watch, and repeatedly verbally abused and humiliated by guards who openly called them “Black slaves.” (b)(6) has no history of violence, criminal history or prior immigration history. He has a U.S. citizen cousin, (b)(6) waiting to welcome him home at (b)(6). Our team is ready to ensure his safe travel to New Orleans with the help of our community partners on the ground. Yet, NOLA ICE refuses to consider his release.
4. (b)(6) **Winn Correctional, LA - (b)(6)** is an asylum seeker and torture survivor who is suffering from *acute PTSD and depression* triggered by his prolonged detention. (b)(6) fled *militant Islamic terrorism in Burkina Faso*. Moreover, (b)(6) is a Bissa speaker who was refused a rare language NTA and denied a CFI in his native language. (b)(6) was forced to proceed with a CFI in his country's colonizer language of French, which led to outcome determinative errors resulting in a negative CFI. (b)(6) has no history of violence, criminal history or prior immigration history. His mental health is severely deteriorating and his sponsor, community organization Home is Here, led by U.S. citizen (b)(6) is eagerly waiting to welcome him at (b)(6). (b)(6) Our team is ready to ensure his safe travel to New Orleans with the help of our community partners on the ground. Yet, NOLA ICE refuses to consider his release.
5. (b)(6) **Previously Detained in Louisiana, Now at Orange County Correctional, NY - (b)(6)** fled indentured servitude, death threats and imminent slavery in Mauritania. He is a Mauritanian Pulaar speaker, but during his CFI he was provided an interpreter that spoke a different dialect of Pulaar (one more commonly spoken in the U.S. such as Gambian or Senegalese) which caused outcome determinative errors resulting in a wrongful negative CFI. (b)(6) was denied education, documentation and employment because he is Black. His only options were to farm available land to grow food to feed himself and his family or to work as a slave for the ruling known as “White Arabs.” Despite the translation impediment, (b)(6) was still able to communicate that White Arabs subject his people to incarceration and take all their possessions and agency. More importantly, (b)(6)

is not a flight risk, security risk or danger to anyone. He has no history of violence, criminal history or prior immigration history. His U.S. citizen cousin, (b)(6) is waiting to welcome him home at (b)(6) (b)(6) Our team is ready to ensure his safe travel to Columbus with the help of community partners on the ground. Yet, NOLA ICE refused to consider his release and instead transferred him to New York in order to facilitate his removal to Mauritania where he will face certain slavery and abuse in prison.

6. (b)(6) Stewart Detention Center, GA – (b)(6) left fled Islamic religious terrorists in Burkina Faso after they slaughtered his uncle and his uncle's entire family in Sebba on or about February 14, 2020. (b)(6) is a rare language speaker whose native language is Gourmantché, but the Houston asylum office conducted his CFI in his country's colonizer language, French. This resulted in (b)(6) receiving a wrongful negative CFI determination. More importantly, (b)(6) is not a flight risk, security risk or danger to the community. He has no history of violence, criminal history or prior immigration history. His lawfully residing cousin, (b)(6) is eagerly waiting to welcome him home at (b)(6) Our team on the ground is ready to ensure his safe travel to the Bronx. Yet, Atlanta ICE refuses to consider his release. Yet the Atlanta ICE field office refuses to consider his release.
7. (b)(6) Stewart Detention Center, GA – (b)(6) is from Mauritania and left his family to come to the U.S. to apply for asylum on account of his race. Despite the failure by the interviewing officer to properly understand and evaluate (b)(6) claim as a man fleeing conditions of slavery, during his CFI, (b)(6) explained that he is treated like a second-class citizen in his own country due to the color of his skin. He said, "In my own country we are considered as not citizens. When we apply for documents, we cannot get anything done." Later, he explained "there are no employment prospect. People work against their will." In Mauritania, (b)(6) was denied education and documentation to work because he is Black. His only option was to starve or work as a slave. More importantly, (b)(6) is not a flight risk, security risk or danger to the community. He has no history of violence, criminal history or prior immigration history. His lawfully residing cousin, (b)(6) is eagerly waiting to welcome him home at (b)(6) Our team on the ground is ready to ensure his safe travel to the Bronx. Yet, Atlanta ICE refuses to consider his release.

Respectfully submitted,

SPLC's immigrant detention team



Mich P. González él/le/they

Associate Director of SIFI Advocacy | Legal
Southern Poverty Law Center

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From: Mich Gonzalez [(b)(6)]@splcenter.org
Sent: 12/22/2021 4:36:53 PM
To: OIDO Outreach [(b)(6)]
[(b)(6)] CRCLCompliance
CC: Stumpf, Ian [(b)(6)]
[(b)(6)] Perry, Timothy C
[(b)(6)] KELLEY, ANGELA
[(b)(6)] Murray, Royce
Claire [(b)(6)]
[(b)(6)] Trickler-McNulty,
Subject: RE: Lawless Behavior Preventing Releases - Fraihat Violations & Egregiously High Bonds

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Good morning,

I write to add the below case to the list of *Fraihat* violations brought to your attention in the below correspondence yesterday afternoon.

- [(b)(6)], LaSalle facility, LA:
- [(b)(6)] has been in ICE custody for over 7 months. She entered the LaSalle facility as a *Fraihat* class member due to **asthma and chronic bronchitis** that she has suffered from for most of her life. [(b)(6)] submitted a *pro se Fraihat* release request on 10/01/2021 to her assigned deportation officer, [(b)(6),(b)(7)(C)]. To date, she has never received a response to this request. The *Fraihat* request was then forwarded to the ICE Field Office in New Orleans on 10/15/2021. Again, no response of any kind issued by ICE. On or about 11/03/2021, [(b)(6)] contracted COVID-19 at LaSalle. Since that time, she has suffered from **tachycardia and was referred to a cardiologist**. A second now supplemented *Fraihat* request was submitted on 12/3/21 which included medical records and sponsor evidencing her critical health status and establishing that she is not a flight risk. [(b)(6)] sole past criminal conviction for a non-violent offense should does not outweigh the above considerations. *Moreover, the NOLA ICE field office is in violation of a court order for failing to consider and respond to her requests, which directly endanger her life and health.* To the contrary, [(b)(6)] has US citizen family eagerly waiting to support her financially and emotionally upon her release.

Thank you again for your consideration,
Mich


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From: Mich Gonzalez

Sent: Tuesday, December 21, 2021 3:11 PM

To: (b)(6) (b)(6)

Cc: (b)(6) Perry, Timothy C (b)(6) KELLEY, ANGELA
(b)(6) Murray, Royce (b)(6) Trickler-McNulty, Claire (b)(6)
(b)(6)

Subject: Lawless Behavior Preventing Releases - Fraihat Violations & Egregiously High Bonds

Importance: High

RE: Erroneous *Fraihat* Reviews in Georgia and Florida & Egregious Bond Amounts in Louisiana

Good afternoon,

As we all prepare for a restful holiday break with our loved ones, our team wanted to share two lists of individuals in ICE's custody who are wrongfully being deprived of that human right. The first are people detained in Louisiana because of inordinately high bond amounts, which can easily be redetermined by ICE. The second are people who have been wrongfully denied release despite suffering from various illnesses that place them at high risk of contracting COVID-19, the rates of which are spiking again. The *Fraihat* injunction remains in effect and is lawfully binding until at least February of next year and ICE must properly consider these cases. Thank you in advance for your time and consideration. Please do all that is in your power to get these people home to their loved ones.

(A) Cost-Prohibitive Bonds in Louisiana

Name	A Number	COO	Bond Amount
(b)(6)	(b)(6)	Venezuela	\$15,000
		Nicaragua	\$35,000
		Nicaragua	\$15,000
		Venezuela	\$10,000
		Nicaragua	\$10,000
		Nicaragua	\$10,000
		Colombia	\$10,000
		Colombia	\$10,000
		Haiti	\$25,000
		Venezuela	\$15,000
		Venezuela	\$10,000
Venezuela	\$30,000		

(B) *Fraihat* Violations in Georgia & Florida

(1) (b)(6) at Stewart, GA facility:

- (b)(6) is an asylum seeker from Turkey and a *Fraihat* subclass member with **severe psychiatric illness, high cholesterol, chest pain, and lung problems**. He has no history of violence, and he has been detained for nearly 8 months. He has a USC sponsor in New Jersey. He is actively pursuing an appeal before the BIA and is not a flight risk. Yet, Stewart ICE has not made a determination since we filed a request on November 10. (b)(6) sponsor is immediately awaiting to receive him at home upon his release.

(2) (b)(6) at Stewart, GA facility:

- (b)(6) is original from the Bahamas, but has resided in the U.S. for many years where he has extensive U.S. citizen community support, including that of his USC wife. (b)(6) medical records confirm that (b)(6) has **HIV, high blood pressure, and high BMI**. He is also seen for **chronic cardiac care** at the

facility. His BMI has increased in the past month to >34. Most concerning, his *viral load was previously undetectable but is now rising*. (b)(6) has missed vital medication dosages at Stewart. He is also having vision problems and needs to see a specialist. (b)(6) has no history of violence and his sole arrest was plead to a "disorderly conduct." His wife shares, "The day he was arrested tore my family apart," and (b)(6) has a family who loves and misses him so much. He has a Mother-in-Law, a Sister-in-Law, and nieces and nephews who love and miss him." **We wrote to ICECaseReview on 11/19 and the response was that would not be reviewed because there was no initial local field office review. We emailed Stewart ICE on 10/29, 11/12, and 12/13 with NO response** (b)(6) family, including his USC wife are eagerly waiting to receive him at home upon his release.

(3) (b)(6) at Stewart, GA facility:

- (b)(6) is a Jamaican national and U.S. veteran who suffers from **PTSD, depression, nightmares, and a history of suicidal ideation**. His PTSD would be better managed with the support of his family and the Veteran's Association outside detention. He has his U.S. citizen mother, stepfather, wife, and young sons waiting for him in (b)(6). His *Fraiht* was improperly denied on December 6, 2021.

(4) (b)(6) at Stewart facility, GA:

- (b)(6) is a *Fraiht* subclass member with **high blood pressure, high BMI, and chronic gastrointestinal issues** requiring outside care. Upon release, David would live with his U.S. citizen sister, LPR wife and minor son and daughter. (b)(6) entered the United States as a refugee in 1990. He has been detained with a final removal order since January 5, 2021. ICE was trying to arrange a commercial flight for (b)(6) through Ethiopia, but ICE only had a travel document with a lot of incorrect information, including place of birth, date of birth, and height, and no national ID number. ICE has since obtained a document with more correct information, but it is unclear when they will be able to arrange travel to Eritrea. Despite all these facts, Atlanta ICE refuses to release him to his family.

(5) (b)(6) at Stewart facility, GA:

- (b)(6) is an asylum seeker from Nicaragua and a *Fraiht* subclass member with **Depressive disorder, Anxiety disorder, and high BMI**. He came to the United States seeking asylum with his younger brother fleeing the same persecution, and his brother was already released from custody. Despite the fact that (b)(6) has no history of violence, criminal history or prior immigration history, Stewart ICE has failed to consider, let alone respond to, our *Fraiht* request since October 6, 2021. (b)(6) has relatives immediately awaiting to receive him at home.

(6) (b)(6) at Stewart facility, GA:

- (b)(6) is a longtime resident of the U.S. who originally immigrated from Jamaica. (b)(6) is a *Fraiht* subclass member with **Depressive disorder, PTSD, nasal obstruction, and a high BMI (>27)**. (b)(6) also has a *pending U visa petition and needs surgery to repair his face from the felonious assault he suffered*. If released, he will live with his US citizen fiancée, (b)(6) in New York. In addition to his fiancé, he has a biological daughter and stepchildren and a loving community anxiously waiting to support him in New York. Despite these various compelling facts, Stewart ICE has failed to consider, let alone respond to, (b)(6) *Fraiht* request since October 5, 2021.

(7) (b)(6) at Stewart facility, GA:

- (b)(6) is a *Fraiht* subclass member with **major depressive disorder and anxiety disorder**. His prescribed medication for both was increased last month. He is actively pursuing an appeal before the BIA, with *pro bono* representation, and should be released in the meantime. He has a USC sponsor who would house him at (b)(6) and she can be reached at (b)(6). We requested release on November 22, 2021 and have received no response to date.

(8) (b)(6) at Stewart facility, GA:

- (b)(6) is seeking asylum from Nicaragua. Stewart medical records indicate that she has **Generalized anxiety disorder with panic attacks and history of situational anxiety**. She was seen in September for

chest pain, shortness of breath and tachycardia. She is prescribed Vistaril and BuSpar for her panic attacks. If released, (b)(6) would live with a USC sponsor (b)(6). (b)(6) He can be reached at (b)(6). We requested a custody review on December 8, 2021 and have received no response to date.

(9) (b)(6) at Folkston facility, GA:

- (b)(6) is a 49-year-old individual who has been detained in Folkston for almost six months. (b)(6) suffers from **diabetes, asthma, and a BMI of 29.2** that classifies him as overweight. Professional chart reviews of (b)(6) medical documents reveal that markers for both his **diabetes and hypertension** while in detention have on multiple occasions been above the target levels expected to adequately manage these illnesses, suggesting that both diseases are not being sufficiently controlled by medical staff in detention. (b)(6) attorney filed a request for release pursuant to *Fraiht* on November 3, 2021 and still has not received a response from ICE despite following up on multiple occasions. This delay threatens (b)(6) fragile health condition, which doctors warn "place him at a high risk for severe COVID-19 infection were he to be infected with the novel SARS-CoV-2 virus." (b)(6) has relatives immediately awaiting to receive him at home upon his release.

(10) (b)(6) at Baker County facility, FL:

- (b)(6) is a 48-year-old man from Jamaica who suffers from **depression, anxiety, alpha thalassemia, and a BMI of 26.9** that categorizes him as overweight. (b)(6) additionally suffers from **avascular necrosis, a degenerative bone disease** that caused (b)(6) to have a hip replacement surgery in 2013 and threatens to collapse his bone if he does not receive another hip replacement surgery. (b)(6) has declined the COVID-19 vaccine for religious reasons, making him particularly vulnerable to being hospitalized or even killed by COVID-19 if he contracts the disease, particularly in consideration of his multiple risk factors that predispose him to negative COVID-19 health outcomes. In addition, despite medical staff noting the degenerative of (b)(6) hip during his detention and even explicitly noting that a hip replacement is warranted, there is no record of medical staff scheduling a hip replacement surgery for (b)(6). He has been denied release under *Fraiht* twice despite these circumstances. (b)(6) has also lived in the United States since 1986, when he was 13 years old. Under today's law, (b)(6) would stand recognized as a U.S. citizen. But because he turned 18 before the enactment of the Child Citizenship Act of 2001, (b)(6) is subject to the former law's racist and discriminatory Guyer Rule, which prevented U.S. citizen fathers passing their citizenship status to foreign-born, non-marital children. (b)(6) has no violent criminal history and an extensive community, including three children, in the United States. (b)(6) has long resided in the US and his family is eagerly awaiting to receive him at home upon his release.

(11) (b)(6) at Baker County facility, FL :

- (b)(6) counsel submitted *Fraiht* requests Dec 2020 and August 2021. Two medical advocacy complaints have been filed as well.
- Counsel for (b)(6) submitted a *Fraiht* request December 2, 2020 based on (b)(6) health and lack of access to adequate medical care, including diagnosed **arthritis, depression, anxiety, and significant leg pain - including numbness, cramping, and paralysis - following spinal surgery** while in prison in 2019. The doctor had recommended (b)(6) receive physical therapy to prevent long term consequences from the surgery, but ICE denied the physical therapy. Counsel sent ICE follow-up letters on Dec. 10, 2020 and Dec. 23, 2020. ICE then denied that request on Jan. 5, 2021. What makes the denial particularly unfair is that ICE advised counsel that (b)(6) was being transferred from Maryland to the Glades facility in Florida May 2021 allegedly so that (b)(6) could receive her requested medical care – (b)(6) transfer is based on the medical concerns she has raised and therefore will continue as scheduled in the best interests of your client" – but (b)(6) never received that care after she was transferred to Glades.
- A second *Fraiht* release request was submitted August 27, 2021 due to worsening medical conditions and ongoing, extreme pain, naming the above-delineated issues as well as (b)(6) health reports of

diabetes and high blood pressure. ICE denied this request on September 1, 2021 (as communicated to (b)(6) but did not communicate this denial to (b)(6) counsel until November 4, 2021 (based on the e-signature by the ICE Deputy Field Director). The denial was simply a form letter with no individualized rationale or determination.

- Thus, despite ICE expressly stating that (b)(6) was being transferred to Glades to receive medical treatment, (b)(6) was denied said treatment, confirming that ICE has utterly failed to address Ms. (b)(6) conditions. Moreover, ICE has not explained why (b)(6) could not stay with her family while awaiting final disposition of her case. If (b)(6) were to be released, she would live with her U.S. Citizen son (b)(6) born November 10, 1994 in Salisbury, MA.

(12) (b)(6) NQRP at Krome facility, FL:

- (b)(6) *Fraihat* Request was submitted 8/06/2021 and it was denied on 10/13/2021 stating he was a threat to public safety due to his long past crimes. However, ICE erroneously listed his chronic condition as "Major Depressive Disorder." (b)(6) counsel forwarded his medical records obtained from the Krome Detention facility itself, that conversely record he is suffering from "Schizoplectic Disorder, Bipolar, type 2 Diabetes, Hypothyroidism, high blood pressure and Major Depressive Disorder -severe with psychotic symptoms."
- (b)(6) counsel inquired why ICE's denial was so wantonly inaccurate and was oddly told he could resubmit a request. (b)(6) has long resided in the US and has relatives immediately awaiting to receive him at home upon his release.

(13) (b)(6) transgender woman at Krome facility, FL:

- (b)(6) counsel requested for her to be housed in special housing at Krome for her safety until her release. Her *Fraihat* request was denied stating a "threat to public safety" but the chronic conditions listed were "unspecified asthma, obesity, hypothyroidism, hyperlipidemia, latent syphilis" and none of her psychiatric illnesses were listed, despite her counsel forwarding medical records with the request that list "paranoid schizophrenia" as a mental disorder. (b)(6) has long resided in the US and has relatives immediately awaiting to receive her at home.

(14) (b)(6) at Krome facility, FL:

- (b)(6) counsel submitted a *Fraihat* release request (enumerating his sickle cell anemia, anxiety, and obesity) and the request was quickly denied without proper consideration. Additionally, ICE is nowhere near effectuating his removal since his case is currently pending before the Board of Immigration Appeals on remand from Circuit Court. (b)(6) has long resided in the US and has relatives immediately awaiting to receive him at home upon his release.

(15) (b)(6) at Krome facility, FL:

- (b)(6) counsel submitted a *Fraihat* request on his behalf and it was not properly reviewed or adjudicated because they strictly rely on his long passed criminal history, when even those subject to mandatory detention are squarely class members whose request must be fully considered for release. In their denial, local ICE listed (b)(6) chronic condition as "overweight." Yet even his medical records from the Krome facility records that he is suffering from "Schizophrenia -unspecified, mixed hyperlipidemia and Type 2 diabetes mellitus with hyperglycemia (p. 5 of medical records 2)." He has been in contact with those infected with COVID-19 at the facility and has endured multiple quarantines. Local ICE is playing with this man's life. (b)(6) has long resided in the US and has relatives immediately awaiting to receive him at home upon release.

Sincerely,
Mich on behalf of the SPLC detention team and our community partners

Mich P. González éi/he/they
Associate Director of SIFI Advocacy | Legal
Southern Poverty Law Center

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Admitted in New York

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OVERSIGHT PROJECT
IT'S YOUR GOVERNMENT

From: Mich Gonzalez (b)(6)@splcenter.org
Sent: 5/13/2022 9:17:16 PM
To: CRCLCompliance (b)(6)
(b)(6) OIDO_Outreach
ICECaseReview@ice.dhs.gov; CommunityRelations.NewOrleans, [CommunityRelations.NewOrleans@ice.dhs.gov];
CommunityRelations.Tampa@ice.dhs.gov
CC: Murray, Royce (b)(6)
(b)(6) DEFRAITES,
MEREDITH (b)(6)
(b)(6) SIFI Louisiana
(b)(6)@splcenter.org
Subject: Five Detained Persons with Allegations of Fraihat Violations
Attachments: Five SIFI Case Summaries_Allegations of Fraihat Violations_5.13.2022.pdf

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Good afternoon,

Please see attached case summaries for our below five clients, all of whom share allegations of past and ongoing violations of the standing court order in Fraihat v. ICE. Each of these detained individuals is a subclass member of the ongoing litigation, suffering prolonged detention and serious health concerns. We respectfully ask your offices to review their cases to ensure that the local field offices are in compliance with the legally binding court order.

Respectfully,
Counsel for the below detained individuals

1. (b)(6)
2. (b)(6)
3. (b)(6)
4. (b)(6)
5. (b)(6)



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From: Melissa Crow [(b)(6)]@splcenter.org
Sent: 1/7/2022 4:58:40 PM
To: KELLEY, ANGELA [(b)(6)]
[(b)(6)] Murray, Royce
[(b)(6)]
CC: Mich Gonzalez [(b)(6)]
Subject: FW: Help for Wrongfully Deported Haitian Father Impacted by Del Rio (Pattern of Unlawful Deportations by NOLA ICE)
Attachments: [(b)(6)] Haitian Deportation on 12.21.21_DHS HQ Correspondence.pdf; [(b)(6)] Haitian Deportation on 12.21.21_Houston Asylum Office Correspondence.pdf; [(b)(6)] Request for Reconsideration of CFI.pdf; A220654363 [(b)(6)] CFI Notes.pdf; [(b)(6)] G-28_Signed.pdf; [(b)(6)] Photo Evidence of Persecution.pdf; [(b)(6)].jpg; Nicaraguan Deportation on 12.23.21_Asylum Office Correspondence and EOIR Info.pdf; Honduran Deportation on 7.21.21_DHS CRCL & HQ Correspondence.pdf

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Angie/Royce: Here is a brief chronology of developments in the case I mentioned. I am looping in my colleague, Mich Gonzalez, who represents [(b)(6)]. More details re: the harm he endured are included in the attached documents and Mich's email below. Please let us know if you need any additional information. Thx, as always, for your help, Melissa

RE: [(b)(6)]

- In June 2021, [(b)(6)] sent his [(b)(6)] ahead of him to cross into the U.S. to seek safety due to desperation, mistreatment and limited resources. They witnessed terrible conditions/mistreatment in Del Rio. After apprehension, his wife explained the past persecution he endured on account of his actual and imputed political opinion and particular social group (son of political activist). She was released on recognizance.
- In September 2021, he came to the U.S. to seek asylum and reunite with his family, where he witnessed and experienced the violence in Del Rio. He went unrepresented and was transferred to Louisiana detention where he was given a deficient credible fear interview by the Houston Asylum Office.
- On December 14, 2021, shortly after we learned of his case and negative CFI decision, we entered our appearance as his counsel with the Houston AO and NOLA ICE.
- On December 16, 2021, the Houston AO acknowledged our legal representation of him in an RFR of his negative CFI and confirmed that "ICE has been informed."
- On December 20, 2021, we spoke at length with his assigned Deportation Officer, [(b)(6),(b)(7)(C)] at approximately 2:30PM central while [(b)(6)] remained detained at the River Correctional facility in Louisiana. DO Doyle confirmed he understood that the Houston AO was review his negative CFI and that we were representing him in that RFR and that [(b)(6)] should not be removed in the interim. That same evening we filed our arguments in support of the RFR.
- The next morning, December 21, 2021, at 7:50AM, the Houston AO confirmed receipt of our arguments and once again affirmed that "ICE has been informed." However, a couple of hours later they emailed to state that our client had "unfortunately been removed" and they would no longer consider the case.
- [(b)(6)] was deported under cover of darkness, in the middle of the night or early in the morning, with no notice whatsoever to his counsel or to [(b)(6)] who remain in Houston proceeding with their asylum cases before the non-detained docket—cases which are entirely based on the past persecution that [(b)(6)] experienced and which formed the bases of his pending RFR.
- Our office is in daily communication with [(b)(6)] and his family via Whatsapp. He is in hiding, desperate and terrified. He has to use a friend's phone and rely on the charity of others. He cannot work or leave from hiding

lest he risk endangering his life. Before he fled Haiti, he was stabbed in the abdomen. After he fled, (b)(6) arm was cut off with a machete. The politically motivated men who did this are still looking to persecute him.



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From: Mich Gonzalez (b)(6)@splcenter.org>
Sent: Friday, January 7, 2022 9:18 AM
To: Melissa Crow (b)(6)@splcenter.org>
Subject: FW: Help for Wrongfully Deported Haitian Father Impacted by Del Rio (Pattern of Unlawful Deportations by NOLA ICE)
Importance: High

See below and attached.

The New Orleans ICE Field Office (NOLA ICE) has now wrongfully deported at least three asylum seekers (with no history of violence, criminal history or prior immigration history) in violation of U.S. regulations and international non refoulement obligations. The first of these wrongful deportations occurred on July 21, 2021 from the Pine Prairie, LA facility to Honduras. The second occurred on December 21, 2021 from the River Correctional, LA facility to Haiti. The most recent occurred on December 23, 2021 from Pine Prairie facility, LA to Nicaragua.

Attached you'll find documentary evidence for the three cases:

1. Haitian father and husband, (b)(6) who endured racial violence in Del Rio, Texas en route to reunite with his wife and children (who entered the US to seek asylum a few months ahead of him in June due to their limited resources/desperation for safety) was deported on December 21, 2021. His (b)(6) are in non-detained proceedings to present their asylum claim, which is entirely based on the past persecution that *he* endured. The attached redacted documents show that the Houston Asylum Office and the New Orleans ICE Field Office knew he was presented by counsel who were submitting a request for reconsideration of his wrongfully denied credible fear since at least December 16th, that they reaffirmed this knowledge by phone (directly spoke with his assigned DO, (b)(6),(b)(7)(C) at 2:30pm) and by email on December 20th when we filed the RFR only to deport him early on December 21st with no notice to his family or counsel. I attached photos showing the level of harm he and his father endured due to their actual and imputed political opinions in Haiti (namely, he was stabbed and after he fled Haiti, his father's arm was cut off with a machete). I have also attached photos of (b)(6) he was never able to meet because NOLA ICE refused to release him to be with his family.
2. The case of the Nicaraguan asylum seeker, (b)(6) deported on December 23, 2021 is much more straight forward. He was detained in Louisiana for approximately two months after apprehension at the US-Mexico border where he claimed fear/requested asylum, but was never provide a credible fear interview or a hearing before an Immigration Judge. Therefore, his removal was plainly illegal. The attached redacted documents corroborate this and his case is nowhere to be found in the EOIR immigration court system. He had a political opinion claim and was desperately calling anyone who would listen on December 22nd, terrified of being returned to Nicaragua where he had already been threatened and shot at by government officials. We have not heard from him since.

3. The case of the Honduran asylum seeker, youth (b)(6) deported on July 21, 2021 is also pretty straight forward. Not only was he deported after months in ICE custody, but officials at Pine Prairie intentionally placed him in solitary confinement for the four days immediately preceding his unlawful removal. The only improper thing this young man (at the time of apprehension 19) did was that he initially told border officials that he was a minor because he was afraid that was the only way for him to seek asylum. However, this does not bar him from asylum (like a claim to US citizenship would, for example) and is absolutely not a legal basis for depriving him of the right to a credible fear interview. If they were not going to provide him a CFI, then it renders his entire detention in ICE custody during those months entirely punitive in nature, as the justified rationale for ICE detention is to ensure that people appear at hearings/interviews. The attached redacted documents corroborate these facts as well. It should be noted that this young man said his deportation flight had several men on it who were detained in Louisiana despondent because they too had never been afforded a credible fear interview or a hearing before a Judge.

Please pass this information along to anyone who can help us seek justice for this men, most urgently for (b)(6) who messages me daily via Whatsapp on a friend's phone (since he was deported with nothing to his name, not even his clothing or identity documents) to let me know he is still alive and who is living in terror in Haiti.

Mich



Mich P. González *é/hé/they*

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From: Mich Gonzalez [REDACTED]@splcenter.org
Sent: 1/2/2023 3:15:06 PM
To: Trickler-McNulty, Claire [REDACTED] Murray, Royce
[REDACTED]
[REDACTED]
CC: CommunityRelations.NewOrleans, [CommunityRelations.NewOrleans@ice.dhs.gov]
SIFI Louisiana [REDACTED]@splcenter.org
Subject: Release Vulnerable LGBTQ Detainees

Good morning and Happy New Year all,

I am reaching out again regarding my transgender client, [REDACTED] as well as my gay client, [REDACTED] is a rape survivor who fled homophobic harassment and abuse by police who threatened to subject him to anal examination and prosecute him for up to 14 years in prison for being homosexual in Kenya. [REDACTED] was sexually and physically abused for twenty years by a man his family forced him to cohabit with, who drew him into the world of drug trafficking since the age of 16.

These two have spent many hellish months in the custody of the New Orleans ICE Field Office. They both have U.S. citizen sponsors eager to receive them under any conditions ICE deems fit. Instead, the field office repeatedly denies our requests to consider them for release despite the fact that they have not had any disciplinary issues whatsoever while in ICE custody and have repeatedly demonstrated evidence that they are not a flight risk. ATDs like ankle monitors were expressly made for people like [REDACTED]. I have had to listen to both of these individuals be subject to transphobic and homophobic verbal abuse throughout their time in ICE custody. [REDACTED] was wrongfully subject to 20 days in solitary by a transphobic officer. His wrongful time in isolation can be confirmed by [REDACTED]. [REDACTED] has not had one night at Winn Correctional when he has felt safe and just two nights ago an [REDACTED] threatened to "tear that motherfucker up."

I am pleading with your offices to do anything in your power to facilitate the release these two individuals on ankle monitors until it is time to effectuate their removals.

Respectfully,

Pro Bono Counsel for [REDACTED]



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From: Mich Gonzalez
Sent: Thursday, December 22, 2022 10:45 AM
To: Trickler-McNulty, Claire [REDACTED] Murray, Royce
[REDACTED] CommunityRelations.NewOrleans,

<CommunityRelations.NewOrleans@ice.dhs.gov>

Cc: Sabrina Mohamad (b)(6) ICECaseReview <ICECaseReview@ice.dhs.gov>

Subject: RE: (b)(6) Custody Redetermination Review

Thanks for your response, Claire,

However, I already have that information from our team's many emails with ICE Case Review over the past year. I reached out to you because you specifically informed me, along with several other advocates, that your office was working on a vulnerable populations memo, which would include transgender individuals. My client is a transgender man who is being harmed by detention and the conditions of his confinement. Additionally, I raised this to your attention because as I stated in my initial email, not only do I believe that ICE Case Review made the incorrect determination in their review, they clearly misgender and dead name my client, despite the entire request for reconsideration being precisely about my client's vulnerabilities as a transgender man.

I understand that the vulnerable populations memo was never brought to fruition. However, it was made very clear to me by you and by Royce, that you take the issues faced by those vulnerable populations very seriously. To that end, I was escalating this specific case to your attention, as you understand those issues. Anything your office can do to assist would be greatly appreciated.

Thanks again and happy holidays to all,
Mich

From: Trickler-McNulty, Claire (b)(6)

Sent: Thursday, December 22, 2022 10:38 AM

To: Mich Gonzalez (b)(6) @splcenter.org; Murray, Royce (b)(6)
CommunityRelations.NewOrleans, <CommunityRelations.NewOrleans@ice.dhs.gov>

Cc: Sabrina Mohamad (b)(6) @splcenter.org; ICECaseReview <ICECaseReview@ice.dhs.gov>

Subject: RE: (b)(6) Custody Redetermination Review

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Mich,

Thanks for your email. I am copying the ICE Case Review mail box. More information about this process and the Senior Reviewing Official is below.

Regards,
Claire

ICE continues to make custody determinations on a case-by-case basis, in accordance with U.S. law and Department of Homeland Security (DHS) policy. In 2021, ICE developed the ICE Case Review (ICR) process for individuals who believe their case deserves additional review.

The ICR process continues to offer another channel through which noncitizens and their representatives can request ICE exercise its prosecutorial discretion on a particular noncitizen's behalf, and resolve questions and concerns consistent with law, policy, and the interests of justice. ICE created an email address ICEcasereview@ice.dhs.gov managed by a designated ICE Enforcement and Removal Operations (ERO) Senior Reviewing Official (SRO) and their staff.

Individuals requesting a case review should contact their local ERO field office for initial consideration. Requests to the SRO in which the ERO field office did not consider the case initially are returned to the requestor with an advisal that the field office continues to maintain initial decision making.

More information regarding the ICR process can be found here: <https://www.ice.gov/ICEcasereview>.

From: Mich Gonzalez; (b)(6) <(b)(6)@splcenter.org>
Sent: Thursday, December 22, 2022 10:10 AM
To: Trickler-McNulty, Claire (b)(6) Murray, Royce
(b)(6) CommunityRelations.NewOrleans,
<CommunityRelations.NewOrleans@ice.dhs.gov>
Cc: Sabine Mohamad (b)(6) <(b)(6)@splcenter.org>
Subject: FW: (b)(6), Custody Redetermination Review

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RE: (b)(6)

Good morning,

I hope this email finds you well and that you're getting ready for well-deserved holiday time with friends and family. I am reaching out because I received the below response to my request for review of the New Orleans ICE Field Office's decision to continue detaining my vulnerable transgender client, (b)(6) (b)(6). I was very clear in my email that (b)(6) is a transgender man who uses male pronouns, but their response clearly misgenders and deadnames my client.

That serious issue aside, I am deeply frustrated by this decision. Frankly put, it is the wrong decision and the office barely reviewed my client's file given how quickly they responded. Yes, (b)(6) has criminal history, but he has been detained in ICE custody for 10 months without incident. In fact, he has been subject to repeated transphobic harassment and was wrongfully placed in punitive segregation for 20 consecutive days as a result while at the Central Louisiana facility in Jena, Louisiana. This is tantamount to torture and the Field Office Director, Mellissa Harper, can confirm that this in fact occurred. She personally called me to discuss this case and to let me know he'd been released from the segregation and that she had a stern talk with her staff for their initial misinformation about my client's conduct.

Now, (b)(6) is at the all-women's facility in Basile, Louisiana and ever since his transfer has not been able to access his appropriate, consistent hormone replacement therapy. These two decisions by ICE has severely worsened his gender dysphoria, anxiety and depression. More recently, his mother has grown increasingly ill and his youngest daughter experienced a seizure at school. His entire family are U.S. citizens who are willing and able to ensure he complies with any immigration decisions and requirements, but his custody has become extremely punitive and it is no longer necessary. He has already endured prolonged detention and his case will take many more months to be resolved before the Board. Moreover, he has counsel for his pending appeal and he is willing and able to comply with any required conditions ICE's places upon his release, including ankle monitor, reporting and payment of bond. He is not a flight risk or a danger to community. He is a victim of decades of sexual abuse and transphobia who has paid his debt to society.

Should he be released, (b)(6) will reside with his U.S. citizen mother and his U.S. citizen daughters (the eldest of whom is a full-time working adult) at: (b)(6)

Thank you in advance for your review and consideration.

Sincerely,

Pro Bono Counsel for (b)(6)



Mich P. González ^{ei/he/they}

Associate Director of SIFI Advocacy | Legal
Southern Poverty Law Center

T (b)(6)

(b)(6) @splcenter.org | www.splcenter.org

Admitted in New York

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From: ICECaseReview <ICECaseReview@ice.dhs.gov>

Sent: Tuesday, December 20, 2022 11:41 AM

To: Mich Gonzalez (b)(6) @splcenter.org

Subject: RE: (b)(6) Custody Redetermination Review

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On December 20, 2022, you submitted a request to the Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) Senior Reviewing Official (SRO) through the ICE Case Review mailbox. You requested a review of the New Orleans Field Office's decision to continue to detain (b)(6) (b)(6) pending the outcome of her removal proceedings.

Prosecutorial discretion is the authority of an agency charged with enforcing a law to decide to what degree to enforce the law against a particular individual. ICE, like any other law enforcement agency, has prosecutorial discretion and may exercise it in the ordinary course of enforcement. These discretionary decisions take on different forms which may include custody decisions. Such decisions are made on a case-by-case basis, after considering the totality of the circumstances as well as applicable law and court orders.

The SRO reviewed the information you submitted and the available case information. The SRO concurs with the decision to continue to detain (b)(6) in ICE custody. If circumstances change, or if new information becomes available, please submit a new request to the local Field Office for an initial review.

Thank you for your submission.

From: Mich Gonzalez (b)(6) @splcenter.org

Sent: Tuesday, December 20, 2022 8:54 AM

To: ICECaseReview <ICECaseReview@ice.dhs.gov>

Cc: SIFI Louisiana (b)(6) @splcenter.org

Subject: (b)(6) Custody Redetermination Review

Importance: High

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Good morning,

We write as *pro bono* counsel for our transgender client, (b)(6) (b)(6) who has been ICE custody for nearly 10 months and is currently at the South Louisiana Correctional facility in Basile, Louisiana.

During this time, (b)(6) has suffered transphobic harassment, wrongful solitary confinement for 20 consecutive days, personal injury while working at the Central Louisiana facility in Jena, and most recently, deprivation of his life-saving hormone replacement therapy. (b)(6) has fully complied with his removal proceedings and has a pending appeal before the BIA.

We urgently request that your office review the local field office's refusal to release (b)(6) on an order of supervision with whatever necessary conditions (bond, ankle monitor, etc.) they deem fit. **Finally, (b)(6) has a U.S. citizen mother and two U.S. citizen daughters waiting to receive him at their home located at (b)(6)**

Thank you in advance for your consideration.

Respectfully,
Pro Bono Counsel for (b)(6)



Mich P. González she/they
Associate Director of SIFI Advocacy | Legal
Southern Poverty Law Center
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Admitted in New York
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From: Shuchart, Scott L (b)(6)
Sent: 4/11/2023 12:27:24 PM
To: Murray, Royce (b)(6)
(b)(6)
Subject: RE: immigrant access to counsel

I'm confused because I just learned from OPLA yesterday that SPLC had been talking settlement but is instead now proposing to just dismiss the case. I can check in with Kerry and should before you respond.

From: Murray, Royce (b)(6)
Sent: Tuesday, April 11, 2023 6:55 AM
To: Shuchart, Scott L (b)(6)
Subject: FW: immigrant access to counsel

Hi Scott,
Are you tracking this issue and if so, can we discuss this before I respond?
Thanks,
Royce

From: Margaret Huang (b)(6)@splcenter.org>
Sent: Monday, April 10, 2023 11:21 AM
To: Murray, Royce (b)(6)
Cc: Efren Olivares (b)(6)@splcenter.org>; Derwyn Bunton (b)(6)@splcenter.org>
Subject: FW: immigrant access to counsel

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Hi Royce,

I just emailed Charanya and saw her wonderful news about leave. So following up with you here – any chance of scheduling a meeting with my SPLC colleagues?

Thanks for considering, and hope you're well.
Margaret

Margaret Huang she/her (pronounce)
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From: Margaret Huang

Sent: Monday, April 10, 2023 10:15 AM

To: (b)(6)

Cc: Efren Olivares (b)(6)@splcenter.org; Derwyn Bunto (b)(6)@splcenter.org

Subject: immigrant access to counsel

Dear Charanya,

Hello! I hope this message finds you well. I'm reaching out because we've been working on a case regarding immigrant access to legal counsel, and the DOJ has been taking some surprising (and terrible) positions in the litigation (see notice below). Would you have time for a meeting with Efren and others about this issue? I've also added our Chief Legal Officer, Derwyn Bunton, to this email chain. I believe that access to counsel was one of the items in your portfolio, but if we should be reaching out to someone else in the department, please do advise.

Thank you for your consideration.
Margaret

From: Law360 Alerts <news-q@law360.com>

Sent: Friday, April 7, 2023 3:25 PM

To: Margaret Huang (b)(6)@splcenter.org

Subject: DOJ Says No Right To Counsel In Immigrant Bond Hearings

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In case you missed it...

DOJ Says No Right To Counsel In Immigrant Bond Hearings

The Biden administration told a D.C. federal judge that no constitutional right to counsel exists for detained immigrants in bond proceedings as it tries to undercut what remains of a lawsuit alleging several immigration detention centers are hindering attorney access.



Margaret Huang she/her (pronounce)

President and CEO | Executive Team

Southern Poverty Law Center & SPLC Action Fund

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OVERSIGHT PROJECT

From: Doyle, Kerry (b)(6)
Sent: 4/11/2023 2:10:37 PM
To: Murray, Royce (b)(6)
CC: Shuchart, Scott L (b)(6)
Subject: RE: immigrant access to counsel

Attorney-Client Privileged Communication // Attorney Work Product // Deliberative and Predecisional

Royce,

(b)(5)

Thanks,
Kerry

Kerry E. Doyle
Principal Legal Advisor
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
Office: (b)(6)
Cell: (b)(6)

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From: Shuchart, Scott L (b)(6)
Sent: Tuesday, April 11, 2023 8:29 AM
To: Doyle, Kerry (b)(6)
Subject: FW: immigrant access to counsel

Good morning, Kerry: (b)(6)

(b)(5)

I told Royce I'd check in with you and asked her to hold off connecting with SPLC.

Scott

From: Murray, Royce (b)(6)
Sent: Tuesday, April 11, 2023 6:55 AM
To: Shuchart, Scott L (b)(6)
Subject: FW: immigrant access to counsel

Hi Scott,
Are you tracking this issue and if so, can we discuss this before I respond?
Thanks,
Royce

From: Margaret Huang (b)(6)@spicenter.org>
Sent: Monday, April 10, 2023 11:21 AM
To: Murray, Royce (b)(6)
Cc: Efren Olivares (b)(6)@spicenter.org>; Derwyn Bunton (b)(6)@spicenter.org>
Subject: FW: immigrant access to counsel

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Hi Royce,

I just emailed Charanya and saw her wonderful news about leave. So following up with you here – any chance of scheduling a meeting with my SPLC colleagues?

Thanks for considering, and hope you're well.
Margaret



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From: Margaret Huang
Sent: Monday, April 10, 2023 10:15 AM
To: (b)(6)
Cc: Efren Olivares (b)(6)@spicenter.org>; Derwyn Bunton (b)(6)@spicenter.org>
Subject: immigrant access to counsel

Dear Charanya,

Hello! I hope this message finds you well. I'm reaching out because we've been working on a case regarding immigrant access to legal counsel, and the DOJ has been taking some surprising (and terrible) positions in the litigation (see notice below). Would you have time for a meeting with Efren and others about this issue? I've

also added our Chief Legal Officer, Derwyn Bunton, to this email chain. I believe that access to counsel was one of the items in your portfolio, but if we should be reaching out to someone else in the department, please do advise.

Thank you for your consideration.
Margaret

From: Law360 Alerts [REDACTED] (b)(6)
Sent: Friday, April 7, 2023 3:25 PM
To: Margaret Huang [REDACTED] (b)(6) @splcenter.org>
Subject: DOJ Says No Right To Counsel In Immigrant Bond Hearings

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The Biden administration told a D.C. federal judge that no constitutional right to counsel exists for detained immigrants in bond proceedings as it tries to undercut what remains of a lawsuit alleging several immigration detention centers are hindering attorney access.



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From: Mich Gonzalez (b)(6) [redacted]@splcenter.org
Sent: 4/11/2023 4:55:08 PM
To: Harper, Mellissa B (b)(6) [redacted]
CC: Murray, Royce (b)(6) [redacted]; Lewis, Ragan (b)(6) [redacted]; (b)(6), (b)(7)(C) [redacted]; (b)(6) [redacted]; (b)(6) [redacted] CRCLCompliance (b)(6) [redacted]; (b)(6) [redacted] cisombudsman; (b)(6) [redacted] SIFI Louisiana
Subject: (b)(6) [redacted]@splcenter.org; (b)(6) [redacted] Urgent Z Hold Request of Veteran & Likely US Citizen detained at Winn Correctional (b)(6) [redacted]; (b)(6) [redacted]
Attachments: (b)(6) [redacted] Third_Party_Notification.pdf

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Good afternoon all,

We are urgently and respectfully request a Z hold in the case of our recently retained client, (b)(6) [redacted] (b)(6) [redacted] based on numerous factors, including a reasonable suspicion that (b)(6) [redacted] **is a U.S. Citizen, born in Tulsa, OK on (b)(6) [redacted].** Additionally, (b)(6) [redacted] **is a veteran of the U.S. Army, who served for over three years on the frontlines of the armed conflict in Iraq** (we are in the process of helping him to obtain proof of service in the U.S. armed forces).

The SIFI Louisiana team encountered (b)(6) [redacted] last week on Monday and Tuesday, April 3-4, 2023, during our legal rights presentations at Winn Correctional Center in Winnfield, LA, where (b)(6) [redacted] is currently detained. **During our intake with him, it was clear he had mental competency issues, which includes symptoms of PTSD, lapses in memory, avoidance/inability of recalling certain memories, altered attention, disassociation, inability to focus, confusion, and anxiety, all of which were observed in person.** Additionally, (b)(6) [redacted] informed us that he is illiterate and never received any formal education, not even primary school.

Based on the foregoing, we drafted the attached *Notice of Respondent with Indicia of Mental Incompetence to Represent Self in Immigration Proceedings*, which we had planned to submit to the Oakdale Immigration Court today. However, we just discovered that after our visit with him, he was ordered removed by an Immigration Judge on April 6, 2023. We reasonably suspect that (b)(6) [redacted] was unable to establish his claim to U.S. citizenship or defend himself in any way his removal proceedings due to the above-listed conditions and broader mental incompetency.

We are including the New Orleans ICE Field Office Field Office Director, as well as AFOD and SDDO supervising cases based at the Winn Correctional facility, OPLA Counsel for Oakdale Immigration Court, the CRCL office, Royce Murray from DHS HQ, and the USCIS Ombudsman out of an abundance of caution and because of this individual's particular set of vulnerabilities as well as his likely U.S. citizenship. He fears removal to a country he has no ties to, especially because he is a U.S. citizen who only knows how to speak English.

Thank you in advance for your consideration of the sensitivities in this case. *We respectfully urge your offices to please act immediately to ensure he is not removed while we work on further evidence gathering in order to reopen his removal proceedings.*

Sincerely,

Pro Bono Counsel for (b)(6)



Mich P. González, Esq. *é/hé/they*
Associate Director of SIFI Advocacy | Immigrant Justice Project
Southern Poverty Law Center

T (b)(6)

(b)(6) @spicenter.org | spicenter.org
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From: Rose Murray (b)(6) [redacted]@splcenter.org]
Sent: 6/12/2023 11:36:00 PM
To: Trickler-McNulty, Claire (b)(6) [redacted]; Murray, Royce (b)(6) [redacted]; Fleischaker, Deborah (b)(6) [redacted]; DRAKE, MARIAN (b)(6) [redacted]; GAMBLE, NICOLE (b)(6) [redacted]; DAVANT, MEAGHAN (b)(6) [redacted]
CC: Felix Montanez (b)(6) [redacted]; Mich Gonzalez (b)(6) [redacted]@splcenter.org]; Dawynrico McCain (b)(6) [redacted]; Tania Wolf (b)(6) [redacted]@splcenter.org]; DEFRAITES, MEREDITH (b)(6) [redacted]; Posner, Allison (b)(6) [redacted]
Subject: (b)(6) [redacted] deprivation of shower and abuse and threats by medical provider at Baker County

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Dear all,

I write with additional concerning updates about (b)(6) [redacted] in ICE detention at Baker County, Florida and implore you to please take action. (b)(6) [redacted] **was denied access to a shower for the entire time he was in solitary from last Wednesday June 7th through today, June 12th in the afternoon.** He repeatedly requested to shower/bathe and heard everyone else on the tier being taken daily to shower. He was repeatedly told "we'll get to you" but never allowed to leave his solitary cell to go to the shower which was next door to him. **At this point I am sure that the officials on the ground would lie about this if asked and (b)(6) [redacted] implores you to preserve and check the cameras to verify this disgusting neglect, which is no doubt retaliation for his insisting on proper medical care as someone with sickle cell disease in a prolonged pain crisis for his excessive vomiting and frequent urination last week.**

Worse, when taken to the medical provider today, (b)(6) [redacted] was abused and threatened. When he arrived, he said he met with a "dragon breathing fire." He said she screamed at him about how dare he and his attorney call for him to be taken to an outside doctor, that she makes all of the medical decisions here, that what she says goes, that he and his attorney are gonna learn the Baker County rules, that if we ever again ask for outside medical care he will be sent to lock up and deported immediately, and that she repeatedly called him "an illegal." He fought to maintain composure but when he tried to reply that he needed treatment last week and that he still needs treatment for the extreme and prolonged pain crisis that he is experiencing she became further enraged and screamed at him that "I will tell you if you're in pain!" I wish I was able to tell you her name, but every time (b)(6) [redacted] has asked her name or clarification on who she is or even if she is a doctor (her identity is kept a secret from the detained individuals that she "treats" and she is only referred to as "the provider"), but she is described as a woman in her late 40s/early 50s with black and gray hair and glasses. **I request to be provided with her name and credentials so that we can immediately file a medical malpractice complaint with her licensing bodies. It should go without saying that this person should never be allowed to meet with or treat (b)(6) [redacted] again and that he needs a new medical provider immediately. If he is ever brought to her again, it needs to be under safeguards in the telephonic presence of a member of his legal team.**

No additional food options nor medical care have been provided and he is still in excruciating pain.

I reiterate that the officials on the ground cannot be counted on to truthfully report on this situation to local or national ICE as they are determined to retaliate against (b)(6) and they have been lying about these matters for the entire time that he has been detained there; which have been, at worst, joined by, or at best, parroted by, your local ICE officials including SDDO Rothermel, "Delano," and "Oliver."

We urgently reiterate each request to effect (b)(6) compassionate release and in the meantime to urgently provide appropriate care including chronic care visits to a specialist for Sickle Cell Disease, effective medication for his extended pain crisis, accommodations for his Sickle Cell Disease and prolonged pain crisis, and healthy edible food per his religious and medical needs.



Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast Immigrant Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)
(b)(6)@spicenter.org | spicenter.org
Licensed in Admitted in Louisiana

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From: Mich Gonzalez [REDACTED]@splcenter.org
Sent: 7/14/2023 6:04:45 PM
To: Murray, Royce [REDACTED]
[REDACTED] Trickler-McNulty,
Claire [REDACTED]
[REDACTED]
CC: SIFI Louisiana [REDACTED]
Subject: FW: Urgent [REDACTED]
Attachments: Email from Newark AO to SIFI_RE_Urgent [REDACTED] 7.13.23_Redacted.pdf

Hi Royce and Claire:

Sorry to bother you on a Friday, but it is imperative that someone in HQ review the below thread with the Batavia ERO about this very vulnerable and unwell Egyptian man who now has a pending RFR before the Newark Office of the erroneous negative CFI issued by the Houston Asylum Office when he was detained in our service region.

It is urgent because they are planning to wrongfully move forward with his removal despite the pending RFR, which we sent proof of and attached hereto.

Thank you in advance,
Mich and team



Mich P. González, Esq. *she/he/they*
Associate Director of SIFI Advocacy | Immigrant Justice Project
Southern Poverty Law Center
T [REDACTED]
[REDACTED]@splcenter.org | splcenter.org
Licensed in New York

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From: Mich Gonzalez
Sent: Friday, July 14, 2023 1:02 PM
To: BTV-dutyofficer, [REDACTED]
Cc: Tania Wolf [REDACTED]@splcenter.org
Subject: RE: Urgent [REDACTED]
Importance: High

Good afternoon,

With all due respect, yes they are. I want a call from a supervisor to discuss why if you do not understand that the Newark Asylum Office has taken jurisdiction over [REDACTED] meritorious and urgent request for reconsideration of the Houston Asylum Office's erroneous negative credible fear determination.

Also can you please confirm that you received and reviewed the documents that my colleague Ms. Wolf sent you confirming these facts.

Thank you,
Counsel



Mich P. González, Esq. *él/los/they*
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From: BTV-dutyofficer, (b)(6)
Sent: Friday, July 14, 2023 12:59 PM
To: Mich Gonzalez (b)(6)@spicenter.org>; BTV-dutyofficer (b)(6)
Cc: Tania Wolf (b)(6)@spicenter.org>
Subject: RE: Urgent RFR (b)(6)

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Good afternoon,

There are currently no impediments delaying the removal of (b)(6)

Thank you

From: Mich Gonzalez (b)(6)@spicenter.org>
Sent: Friday, July 14, 2023 1:39 PM
To: BTV-dutyofficer, (b)(6)
Cc: Tania Wolf (b)(6)@spicenter.org>
Subject: RE: Urgent RFR (b)(6)

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Good afternoon,

Thank you for your response. Can you please confirm whether your office has issued a Z hold in (b)(6) case given the pending RFR before the Newark Asylum Office?

Thank you,
Mich and team

Pro Bono Counsel for (b)(6)



Mich P. González, Esq. e//he/they
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From: BTV-dutyofficer, (b)(6)
Sent: Thursday, July 13, 2023 3:01:32 PM
To: Tania Wolf (b)(6)@spicenter.org>
Subject: RE: Urgent RFR (b)(6)

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Please continue to email this duty box. We frequently switch assignments so this is best so the proper DO can be notified. Thanks,

Duty Officer

From: Tania Wolf (b)(6)@spicenter.org>
Sent: Thursday, July 13, 2023 3:37 PM
To: BTV-dutyofficer, (b)(6)@gov>
Cc: SIFI Louisiana (b)(6)@spicenter.org>
Subject: RE: Urgent RFR (b)(6)

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Thank you for your response and for forwarding to the Case Officer.

Please provide me the name of the Case Officer and contact information (email and/or phone number).

Best,
-Tania Wolf



Tania Wolf she/her/ella
 Bilingual Administrative Assistant | Southeast
 Immigrant Freedom Initiative
 Southern Poverty Law Center
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From: BTV-dutyofficer, (b)(6)
Sent: Thursday, July 13, 2023 2:34 PM
To: Tania Wolf: (b)(6)@splcenter.org>
Subject: RE: Urgent RFR (b)(6)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Forwarded to the Case Officer

From: Tania Wolf (b)(6)@splcenter.org>
Sent: Thursday, July 13, 2023 3:02 PM
To: BTV-dutyofficer, (b)(6)
Cc: SIFI Louisiana (b)(6)@splcenter.org>
Subject: RE: Urgent RFR (b)(6)
Importance: High

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Good afternoon,

Please see attached email from the Newark Asylum Office, confirming receipt of an RFR. Adjudication of this request is pending – we respectfully request you confirm a Z hold for our client, (b)(6)

-Tania Wolf (on behalf of SIFI Louisiana)



Tania Wolf she/her/ella
 Bilingual Administrative Assistant | Southeast
 Immigrant Freedom Initiative
 Southern Poverty Law Center
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 (b)(6)@splcenter.org | splcenter.org

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From: Tania Wolf
Sent: Wednesday, July 12, 2023 1:36 PM
To: (b)(6)
Cc: SIFI Louisiana (b)(6)@splcenter.org
Subject: FW: Urgent RFR (b)(6)
Importance: High

Good Afternoon,

Please see the below correspondence regarding our client, (b)(6) retained us as *pro bono* counsel while he was detained at River Correctional Center in Ferriday, LA (see attached G-28). He is now detained at the Buffalo Federal Detention Facility in Batavia, NY.

We have submitted a Request for Reconsideration to USCIS (receipt of the RFR is attached). Accordingly, we respectfully request your office issue a Z hold in this case until the RFR is properly adjudicated.

Please confirm receipt and issuance of the Z hold.

Respectfully submitted,
Pro Bono Counsel for (b)(6)



Tania Wolf she/her/ella
Bilingual Administrative Assistant | Southeast
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From: Harper, Mellissa B (b)(6)
Sent: Wednesday, July 12, 2023 10:10 AM
To: Mich Gonzalez (b)(6)@splcenter.org
Cc: SIFI Louisiana (b)(6)@splcenter.org
Subject: RE: Urgent RFR (b)(6)

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Hi Mich,
ERO New Orleans no longer has jurisdiction over this case. ERO Buffalo is the managing Field Office now.

Mellissa B. Harper

Field Office Director
New Orleans Field Office
Enforcement and Removal Operations
Immigration and Customs Enforcement
Cell: (b)(6)

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From: Mich Gonzalez <(b)(6)@spicenter.org>
Sent: Wednesday, July 12, 2023 8:48
To: Harper, Mellissa B <(b)(6)>
Cc: SIFI Louisiana <(b)(6)@spicenter.org>
Subject: FW: Urgent RFR (b)(6)
Importance: High

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Good morning, Mellissa:

I wanted to flag this man's case for you. He was detained at River when he retained us as counsel a couple of weeks ago. He's since been transferred to Buffalo to ready his removal. However, as you can read in detail below, we are seeking an urgent request for reconsideration from the Houston Asylum Office given the extreme humanitarian issues at play in this case. This young man was in tatters when we met him and it was clear that he suffers from severe PTSD, depression and anxiety as a result of the severity of the past persecution he experienced in Egypt on account of being Christian.

In the past when I rely on just the Houston AO notifying you of a pending RFR, there have been times when they move too slowly to inform your office and our clients have been removed before the AO actually reviewed and made a decision. Therefore, I wanted to flag for you as soon as possible with the hopes that you can please have your office issue a Z hold in this case until the RFR is properly adjudicated.

Respectfully,
Mich and team



Mich P. González, Esq. *el/hethey*
Associate Director of SIFI Advocacy | Immigrant
Justice Project
Southern Poverty Law Center
T (b)(6)

From: Mich Gonzalez (b)(6) [redacted]@splcenter.org
Sent: 1/3/2023 3:49:02 AM
To: Harper, Mellissa B (b)(6) [redacted]
(b)(6) [redacted] Hartnett, John
(b)(6) [redacted]
CC: Murray, Royce (b)(6) [redacted]
(b)(6) [redacted] Trickler-McNulty,
Claire (b)(6) [redacted]
(b)(6) [redacted]
Subject: RE: URGENT (b)(6) [redacted] 102 Trans Client Unlawful Deportation Threat
Attachments: Mich Gonzalez Pages from 11-16-2022 stamped1-8.pdf

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Apologies for the immediate follow up email, but I wanted to thank (b)(6),(b)(7)(c) [redacted] for responding to my separate message and to provide the attached evidence that we filed the appeal on November 16, 2022 (within the 30 day required deadline) despite the EOIR system reflecting a later date. The date and time stamped notice of appeal is attached for your review.

Respectfully,

Pro Bono Counsel for: (b)(6) [redacted]

From: Mich Gonzalez
Sent: Monday, January 2, 2023 9:40 PM
To: (b)(6) [redacted]
Cc: Murray, Royce (b)(6) [redacted]; Trickler-McNulty, Claire (b)(6) [redacted]
Subject: URGENT - (b)(6) [redacted] Trans Client Unlawful Deportation Threat
RE: (b)(6) [redacted]

Good evening,

I am reaching out to all of you because my transgender client, (b)(6) [redacted] was just told by officers at the Basile, Louisiana facility that he would be taken for deportation to the Dominican Republic at 2am. This would be an illegal removal, as (b)(6) [redacted] has an appeal pending before the Board of Immigration Appeals, a timely direct appeal from the IJ's removal order (see attached), which means his removal must be automatically stayed. See 8 CFR § 1003.6(a).

My client faces the threat of rape, torture, mutilation and death upon return to the Dominican Republic. He has a pending meritorious appeal. You may contact me at any time about this case at (b)(6) [redacted]. It is urgent that your offices intervene to ensure my client is not removed at this time.

**Mich P. González** *el/hetthey*
Associate Director of SIFI Advocacy | Legal
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From: Mich Gonzalez (b)(6) [redacted]@splcenter.org
Sent: 7/18/2022 5:00:54 PM
To: (b)(6) Doyle, Kerry (b)(6) [redacted] Trickler-McNulty, Claire (b)(6) [redacted] Murray, Royce (b)(6) [redacted] CULLITON-GONZALEZ, KATHERINE (b)(6) [redacted] (b)(6) [redacted]
CC: SIFI Louisiana (b)(6) [redacted]@splcenter.org
Subject: Urgent Request for Release of Haitian Father, Husband, Asylum Seeker (b)(6) [redacted]
Attachments: 1. (b)(6) [redacted] Haitian Passport Face Page.jpg; 2. (b)(6) [redacted] Family.png; 3. Humanitarian Parole Request (b)(6) [redacted] 2.7.2022.pdf

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Re: (b)(6) [redacted]
Haitian National and Asylum Seeker Detained at Willacy County Regional Detention Facility
1601 Buffalo Drive, Raymondville, TX 78580

Dear ICE Case Review Officers, Principal Legal Advisor Doyle, Ms. Trickler-McNulty, Ms. Murray, and Ms. Culliton-Gonzalez:

We write on behalf of our client, (b)(6) [redacted] to urge for his immediate release from ICE custody so that he may be reunited with his family, including his infant U.S. citizen son, (b)(6) [redacted] who requires surgery but is unable to proceed because he needs to have (b)(6) [redacted] on standby because they share the same blood type. (The boy's mother and Mr. Destine's wife, (b)(6) [redacted] does not have the same blood type.) See attached (1) face page of (b)(6) [redacted] Haitian Passport and (2) photo of (b)(6) [redacted] family who await him in (b)(6) [redacted]. As your offices may recall, Mr. (b)(6) [redacted] was separated by his family just days before Christmas last year when the New Orleans ICE Field Office removed him despite reassurances from his assigned Deportation Officer that he was aware (b)(6) [redacted] had retained us as counsel and was seeking a meritorious request for reconsideration of his erroneous negative credible fear determination by the Houston Asylum Office.

We respectfully request (b)(6) [redacted] immediate release because he is not a danger to community, flight risk or threat to national security. (b)(6) [redacted] has no history of violence, no criminal history and he is a kind, hard-working, loving husband and father. (b)(6) [redacted] has one of the strongest political opinion and family membership asylum claims I have ever encountered in my decade of practice as an immigration attorney. Over the past two years, he has endured a harrowing succession of terrifying abuses by his persecutors in Haiti and by employees of the US government. A timeline of facts detailing these violent abuses may be found at pgs. 1-3 of the (3) attached humanitarian parole request previously filed on (b)(6) [redacted] behalf. Photographic evidence of (b)(6) [redacted] extensive past persecution may also be found at pgs. 13-22 of the same attachment.

Please note that on the first night of being placed in ICE custody again, on Saturday July 16, 2022, (b)(6) [redacted] was so afraid and retraumatized at the thought of remaining in detention or facing removal, that he lost consciousness and was rushed to the local hospital in Raymondville, Texas. Upon his release, (b)(6) [redacted] will be immediately housed by his family's pastor and U.S. Citizen, (b)(6) [redacted]. Please do not hesitate to reach out to us should you require any other documentation or information in support of this request. We respectfully urge your offices to aid us in securing (b)(6) [redacted] release so this family can be reunited and begin to heal. I can be immediately reached at (b)(6) [redacted].

Thank you,
Counsel for (b)(6)



Mich P. González *el/le/they*
Associate Director of SIFI Advocacy | Legal
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OVERSIGHT PROJECT
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From: Youngberg, Francey L (b)(6)
Sent: 10/5/2021 6:07:38 PM
To: LINDA CORCHADO (b)(6)
CC: (b)(6) JAWETZ, TOM-TSVI (b)(6)
(b)(6)
Murray, Royce (b)(6)
(b)(6)
Subject: RE: Meeting Request - Language Access in ICE/CBP Detention

Sure. What about noon, 3, or 4 pm ET on 10/15 or 11, 12 or 1 pm ET on 10/18?

Francey Lim Youngberg

Assistant Director
Department of Homeland Security/Immigration and Customs Enforcement
Office of Partnership and Engagement
(b)(6)

From: LINDA CORCHADO (b)(6)
Sent: Tuesday, October 5, 2021 1:56 PM
To: Youngberg, Francey L (b)(6)
Cc: (b)(6) JAWETZ, TOM-TSVI (b)(6)
Murray, Royce (b)(6)
Subject: Re: Meeting Request - Language Access in ICE/CBP Detention

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Thank you for reaching out, we do look forward to connecting with you. Would you be able to share some more times when you would be available?

Linda Corchado, Esq
Director of Legal Services
Pronouns: She, Her, Hers
Las Americas Immigrant Advocacy Center
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Tel: (b)(6)
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www.las-americas.org

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On Mon, Oct 4, 2021 at 3:51 PM Youngberg, Francey L (b)(6) wrote:

Dear Linda: Sorry for the delay in getting back to you. Being new, I wanted to circle with our folks first to understand the language access policy and guidelines we have, what the compliance requirements are and the details around the availability of language access in various types of facilities. As you know we now have a new Principal Legal Advisor, Kerry Doyle, who just started a couple weeks ago so I also wanted to have a chance to flag these issues for her.

So, now I think we are ready to schedule a meeting. What about October 15 from 1-2 pm ET?

Francey Lim Youngberg

Assistant Director

Department of Homeland Security/Immigration and Customs Enforcement

Office of Partnership and Engagement

(b)(6)

From: LINDA CORCHADO (b)(6)
Sent: Friday, September 10, 2021 9:57 AM
To: Youngberg, Francey L (b)(6)
Cc: Trasvina, John D (b)(6); JAWETZ, TOM-TSVI (b)(6); Murray, Royce (b)(6)
Subject: Re: Meeting Request - Language Access in ICE/CBP Detention

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Thank you so much, Mr. Trasvina, and Ms. Youngberg, it is very nice to meet you. Largely our frustrations center around the fact that we collaborate on very thoughtful agendas, with clear, pointed questions sent ahead of time, and suddenly we find ourselves in "listening sessions" where we hardly feel we reached any meaningful meeting of the minds.

We do look forward to hearing from you soon.

Thank you all!

Linda Corchado, Esq
Director of Legal Services
Pronouns: She, Her, Hers
Las Americas Immigrant Advocacy Center
1500 E. Yandell Dr., El Paso, TX 79902

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On Thu, Sep 9, 2021 at 5:43 PM Youngberg, Francey L (b)(6) wrote:

Thank you John. It's nice to meet you Linda. I've been at ICE for a month. I will look into your letter and will reach out to you next week to set up another engagement. As a young lawyer, I spent 15 years in DC successfully advocating for language access with the DC government. I continued to make it a priority when I served as Deputy Assistant Secretary at HUD for 7 years during the Obama administration.

I look forward to working together with you.

Fly

Francey Lim Youngberg

Assistant Director

Department of Homeland Security/Immigration and Customs Enforcement

Office of Partnership and Engagement

(b)(6)

From: Trasvina, John D (b)(6)

Sent: Thursday, September 9, 2021 7:27 PM

To: LINDA CORCHADO (b)(6)

Cc: (b)(6) JAWETZ, TOM-TSVI (b)(6)

Murray, Royce (b)(6) Youngberg, Francey L (b)(6)

Subject: RE: Meeting Request - Language Access in ICE/CBP Detention

Thank you for the follow up letter to your meeting with ICE personnel in July. Not having been present, it is difficult to comment on what was said, heard, understood or meant. The suggestions you offer in your letter are certainly worth fully considering. To that end, I would like to introduce you to our new ICE Assistant Director for Public Engagement Francey Youngberg to facilitate another meeting with additional members of ICE leadership. Among other things, Francey has decades of experience and expertise on language access issues and can be of help to all in exploring both challenges and potential solutions. She is copied on this email.

We look forward to further working with you.

From: LINDA CORCHADO (b)(6)

Sent: Thursday, September 9, 2021 1:30 PM

To: Trasvina, John D (b)(6)

Cc: (b)(6) JAWETZ, TOM-TSVI (b)(6)

Murray, Royce (b)(6)

Subject: Re: Meeting Request - Language Access in ICE/CBP Detention

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Dear Principal Legal Advisor Trasviña, Counselor Murray and General Counsel Jawetz,

We write to thank you for facilitating a meeting on July 28, 2021 between representatives of the ICE Office of Partnership and Engagement, including Mr. Todd Thurlow and Ms. Monica Burke, and our organizations to discuss ongoing concerns regarding ICE's failure to comply with its legal responsibilities to provide meaningful language assistance to limited English-proficient (LEP) persons in its custody. Unfortunately, we left the meeting feeling that the issues we raised were not meaningfully addressed. Attached is a letter from our coalition laying out a summary of our meeting and helpful follow ups to begin to address language access violations in detention.

Linda Corchado, Esq
Director of Legal Services
Pronouns: She, Her, Hers
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On Wed, Jul 21, 2021 at 11:28 AM Trasvina, John D (b)(6) wrote:

Thank you for your email and the accompanying document. It is very helpful to have this list of specific concerns and areas that you and other advocates would like ICE and DHS to focus on. As these are all operational matters for the agency, I am sharing your email with the ICE Acting Director and Chief of Staff to facilitate having ICE's most knowledgeable people at the table to hear these concerns for appropriate follow up and action.

While my office will remain involved, if you do not hear from them directly, please let me know. Again, thank you.

From: LINDA CORCHADO (b)(6)

Sent: Wednesday, July 21, 2021 9:34 AM

To: JAWETZ, TOM-TSVI (b)(6) Trasvina, John D (b)(6)

(b)(6)

Subject: Meeting Request - Language Access in ICE/CBP Detention

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Good morning Mr. Trasvina and Mr. Jawetz,

During our last interactions, I highlighted several issues we encountered surrounding language access in ICE and CBP detention here in El Paso. As I mentioned, I'm part of a broader, nation-wide coalition consisting of members from the American Immigration Council, Asian Americans Advancing Justice and Southern Poverty Law Center. We would like to request a meeting with you to highlight issues surrounding language access and important pathways forward.

We are mindful that you are very busy, but as you can imagine, the situation for migrants in detention who do not speak English is dire.

We hope to be able to schedule a meeting with you or someone in your Office in the next couple of weeks. Thanks in advance for your time.

Attached is a proposed agenda.

Linda Corchado (b)(6)

Hillary Li, (b)(6)

Phi Nguyen, (b)(6)

Palmer Lawrence, (b)(6)

Carmen Garcia, (b)(6)

Rebekah Wolf, (b)(6)

Luz Lopez, (b)(6) @splcenter.org

Meredyth Yoon, (b)(6) @splcenter.org

Mark Scaggs, (b)(6) @splcenter.org

Laura Murchie, (b)(6) @splcenter.org

Linda Corchado, Esq

Director of Legal Services
Pronouns: She, Her, Hers
Las Americas Immigrant Advocacy Center
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OVERSIGHT PROJECT
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From: Youngberg, Francey L (b)(6)
Sent: 10/6/2021 2:20:57 PM
To: Murray, Royce (b)(6)
(b)(6)
Subject: RE: Meeting Request - Language Access in ICE/CBP Detention

What is Kathy's last name, Royce?

Francey Lim Youngberg

Assistant Director
Department of Homeland Security/Immigration and Customs Enforcement
Office of Partnership and Engagement

(b)(6)

From: Murray, Royce (b)(6)
Sent: Wednesday, October 6, 2021 10:17 AM
To: Youngberg, Francey L (b)(6) JAWETZ, TOM-TSVI (b)(6)
Doyle, Kerry (b)(6)
Subject: RE: Meeting Request - Language Access in ICE/CBP Detention

Rebekah Tosado, the Chief of CRCL's Antidiscrimination Group, handles language access. We could invite her and cc Kathy or Peter Mina (who gave me Rebekah's info).

From: Youngberg, Francey L (b)(6)
Sent: Wednesday, October 6, 2021 10:06 AM
To: JAWETZ, TOM-TSVI (b)(6) Murray, Royce (b)(6) Doyle, Kerry (b)(6)
Subject: RE: Meeting Request - Language Access in ICE/CBP Detention

Sounds like a plan, thanks. I sent the calendar invite for 10/18 so if a CRCL rep is identified, then I can loop them into that invite.

Francey Lim Youngberg

Assistant Director
Department of Homeland Security/Immigration and Customs Enforcement
Office of Partnership and Engagement

(b)(6)

From: JAWETZ, TOM-TSVI (b)(6)
Sent: Wednesday, October 6, 2021 10:04 AM
To: Youngberg, Francey L (b)(6) Murray, Royce (b)(6) Doyle, Kerry (b)(6)
Subject: Re: Meeting Request - Language Access in ICE/CBP Detention

I personally don't know who their language access person might be. Can loop in Kathy the Officer with the agenda to see who she might want to send or if she'd prefer to handle separately.

From: Youngberg, Francey L (b)(6)
Sent: Tuesday, October 5, 2021 8:07:46 PM
To: JAWETZ, TOM-TSVI (b)(6); Murray, Royce (b)(6); Doyle, Kerry (b)(6)
Subject: RE: Fwd: Meeting Request - Language Access in ICE/CBP Detention

Yes think so Tom. Perhaps you or Royce have a recommendation for CRCL?

Sent with BlackBerry Work
(www.blackberry.com)

From: JAWETZ, TOM-TSVI (b)(6)
Date: Tuesday, Oct 05, 2021, 6:02 PM
To: Youngberg, Francey L (b)(6); Murray, Royce (b)(6); Doyle, Kerry (b)(6)
Subject: Fwd: Meeting Request - Language Access in ICE/CBP Detention

Adding Kerry here. Wonder if it makes sense to include CRCL in the planning for this engagement.

From: LINDA CORCHADO (b)(6)
Sent: Tuesday, October 5, 2021 4:04:39 PM
To: Youngberg, Francey L (b)(6); JAWETZ, TOM-TSVI (b)(6); Murray, Royce (b)(6); (b)(6)
Subject: Fwd: Meeting Request - Language Access in ICE/CBP Detention

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Please see July 2021 agenda, attached.

Linda Corchado, Esq
Director of Legal Services
Pronouns: She, Her, Hers
Las Americas Immigrant Advocacy Center
1500 E. Yandell Dr., El Paso, TX 79902
Tel: (b)(6)
Fax: (b)(6)
lindacorchado@las-americas.org
www.las-americas.org

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----- Forwarded message -----

From: LINDA CORCHADO (b)(6)

Date: Wed, Jul 21, 2021 at 10:33 AM

Subject: Meeting Request - Language Access in ICE/CBP Detention

To: JAWETZ, TOM-TSVI (b)(6); Trasvina, John D (b)(6)
(b)(6)

Good morning Mr. Trasvina and Mr. Jawetz,

During our last interactions, I highlighted several issues we encountered surrounding language access in ICE and CBP detention here in El Paso. As I mentioned, I'm part of a broader, nation-wide coalition consisting of members from the American Immigration Council, Asian Americans Advancing Justice and Southern Poverty Law Center. We would like to request a meeting with you to highlight issues surrounding language access and important pathways forward.

We are mindful that you are very busy, but as you can imagine, the situation for migrants in detention who do not speak English is dire.

We hope to be able to schedule a meeting with you or someone in your Office in the next couple of weeks. Thanks in advance for your time.

Attached is a proposed agenda.

Linda Corchado, (b)(6)
Hillary Li, (b)(6)
Phi Nguyen, (b)(6)
Palmer Lawrence, (b)(6)
Carmen Garcia, (b)(6)
Rebekah Wolf, (b)(6)
Luz Lopez, (b)(6) @splcenter.org
Meredyth Yoon, (b)(6) @splcenter.org
Mark Scaggs, (b)(6) @splcenter.org
Laura Murchie, (b)(6) @splcenter.org

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OVERSIGHT PROJECT

From: JAWETZ, TOM-TSVI (b)(6)
(b)(6)
Sent: 10/6/2021 3:05:18 PM
To: Doyle, Kerry (b)(6)
(b)(6) Youngberg, Francey L
(b)(6) Murray, Royce
(b)(6)
Subject: RE: Meeting Request - Language Access in ICE/CBP Detention

Perfect, yes.

Tom Jawetz
Deputy General Counsel
U.S. Department of Homeland Security

(b)(6) (ph)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

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From: Doyle, Kerry (b)(6)
Sent: Wednesday, October 6, 2021 10:28 AM
To: JAWETZ, TOM-TSVI (b)(6); Youngberg, Francey L (b)(6)
Murray, Royce (b)(6)
Subject: RE: Meeting Request - Language Access in ICE/CBP Detention

Tom,
Just so you know we have assigned someone from OPLA as the POC for this engagement in light of the fact that we have some litigation on-going on language access to be sure nothing untoward is said or shared in the engagement.

Kerry

Kerry E. Doyle
Principal Legal Advisor

(b)(6)

Cell: (b)(6)

From: JAWETZ, TOM-TSVI (b)(6)
Sent: Wednesday, October 6, 2021 10:04 AM
To: Youngberg, Francey L (b)(6); Murray, Royce (b)(6); Doyle, Kerry (b)(6)
Subject: Re: Meeting Request - Language Access in ICE/CBP Detention

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To: JAWETZ, TOM-TSVI (b)(6); Murray, Royce (b)(6); Doyle, Kerry (b)(6)
Subject: RE: Fwd: Meeting Request - Language Access in ICE/CBP Detention

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(www.blackberry.com)

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Date: Tuesday, Oct 05, 2021, 6:02 PM
To: Youngberg, Francey L (b)(6); Murray, Royce (b)(6); Doyle, Kerry (b)(6)
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To: Youngberg, Francey L (b)(6); JAWETZ, TOM-TSVI (b)(6); Murray, Royce (b)(6)
Subject: Fwd: Meeting Request - Language Access in ICE/CBP Detention

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----- Forwarded message -----
From: LINDA CORCHADO (b)(6)
Date: Wed, Jul 21, 2021 at 10:33 AM

Subject: Meeting Request - Language Access in ICE/CBP Detention

To: JAWETZ, TOM-TSV, (b)(6), Trasvina, John D,

(b)(6)

(b)(6)

Good morning Mr. Trasvina and Mr. Jawetz,

During our last interactions, I highlighted several issues we encountered surrounding language access in ICE and CBP detention here in El Paso. As I mentioned, I'm part of a broader, nation-wide coalition consisting of members from the American Immigration Council, Asian Americans Advancing Justice and Southern Poverty Law Center. We would like to request a meeting with you to highlight issues surrounding language access and important pathways forward.

We are mindful that you are very busy, but as you can imagine, the situation for migrants in detention who do not speak English is dire.

We hope to be able to schedule a meeting with you or someone in your Office in the next couple of weeks. Thanks in advance for your time.

Attached is a proposed agenda.

Linda Corchado, (b)(6)

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From: Art Read (b)(6)
Sent: 10/18/2021 3:33:06 PM
To: Youngberg, Francey L (b)(6)
(b)(6) 'Carmen Garcia'
(b)(6) Hillary Li (b)(6)
CC: LINDA CORCHADO (b)(6) JAWETZ, TOM-TSVI (b)(6)
(b)(6)
Murray, Royce (b)(6)
(b)(6)
(b)(6) Benjamin Hooper (b)(6)
Subject: Meeting Request - Language Access in ICE/CBP Detention
Attachments: Advocacy for Limited English Proficient Individuals _ The Legal Intelligencer_w_attachment.pdf

I am attaching for your information an article which I wrote and was published in today's :Legal Intelligencer in Philadelphia which is relevant to the topics on today's agenda. I have also attached the recent Third Circuit decision referenced in the article.

From:
Arthur N. Read, General Counsel, Justice at Work
990 Spring Garden Street, Suite 300
Philadelphia, PA 19123-2606
Telephone: (b)(6)
Direct Dial: (b)(6)
Fax:
Email:
Web: <https://www.justiceatworklegalaid.org/>

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From: Youngberg, Francey L (b)(6)
Sent: Monday, October 18, 2021 10:19 AM
To: 'Carmen Garcia' (b)(6) Hillary Li (b)(6)
Cc: Art Read (b)(6) LINDA CORCHADO (b)(6) JAWETZ, TOM-TSVI (b)(6) Murray, Royce (b)(6)
(b)(6)
Subject: RE: [External Email] Meeting Request - Language Access in ICE/CBP Detention

Welcome Carmen and Art.

Francey Lim Youngberg
Assistant Director
Department of Homeland Security/Immigration and Customs Enforcement
Office of Partnership and Engagement

(b)(6)

From: Carmen Garcia (b)(6)
Sent: Monday, October 18, 2021 10:17 AM
To: Hillary Li (b)(6)
Cc: Art Read (b)(6); Youngberg, Francey L (b)(6); LINDA CORCHADO (b)(6); JAWETZ, TOM-TSVI (b)(6); Murray, Royce (b)(6)
Subject: Re: [External Email] Meeting Request - Language Access in ICE/CBP Detention

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Good morning Francey and team,

Fortunately, I too will be able to attend. My name is Carmen Garcia and I am the Legal Paralegal for Asian Americans Advancing Justice- Atlanta.

I look forward to speaking with you all.

On Mon, Oct 18, 2021 at 9:01 AM Hillary Li (b)(6) wrote:

Thanks, Art. I just met briefly with Ms. Youngberg and mentioned that you'd like to join the call. She has no problem with it, and I'm adding her here so she has your information.

Look forward to talking with everyone later.

Best,
Hillary

On Sun, Oct 17, 2021 at 11:28 PM Art Read (b)(6) wrote:

I also note that I failed to update the Google Doc to timely indicate my participation. I will defer to others about whether it is too late to participate in the meeting.

I have belatedly updated the Google doc to reflect

Arthur Read. General Counsel Justice at Work (Pennsylvania)

Art Read
Sent from my Android Phone

From: Art Read (b)(6)
Sent: Sunday, October 17, 2021, 11:06 PM
To: LINDA CORCHADO
Cc: JAWETZ, TOM-TSVI; Murray, Royce; (b)(6)
Subject: Re: [External Email] Meeting Request - Language Access in ICE/CBP Detention

I anticipate being able to join this call, but note I am not on the attendance list

Art Read

Sent from my Android Phone

From:

Arthur N. Read, General Counsel, Justice at Work

990 Spring Garden Street, Suite 300

Philadelphia, PA 19123-2606

Telephone: (b)(6)

Direct Dial:

Fax: (b)(6)

Email: (b)(6)

Web: <https://www.justiceatworklegalaid.org/>

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From: LINDA CORCHADO (b)(6)

Sent: Friday, October 15, 2021 10:44:03 AM

To: Youngberg, Francey L (b)(6)

Cc: JAWETZ, TOM-TSVI (b)(6); Murray, Royce (b)(6)

Subject: Re: [External Email] Meeting Request - Language Access in ICE/CBP Detention

Good morning Ms. Youngberg,

We are looking forward to meeting with you on Monday morning. Attached is the attendee list and a modified agenda with relevant citations. Additionally, we decided it would be most constructive to send you targeted questions rather than examples, we know your time is limited, those are also attached.

Thank you again, please let me know if you need anything else.

Sincerely,

Linda

Linda Corchado, Esq

Director of Legal Services

Pronouns: She, Her, Hers

Las Americas Immigrant Advocacy Center

1500 E. Yandell Dr., El Paso, TX 79902

Tel: (b)(6)

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(b)(6)

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On Wed, Oct 6, 2021 at 7:58 AM Youngberg, Francey L <(b)(6)> wrote:

Hi Linda, we are confirmed for 12-1 pm ET on 10/18. Here is the Teams link. We would appreciate the list of the meeting participants by the end of next week and any added agenda items.

With regards to the agenda, it would be helpful to get specific examples for section 2 so I can run them down before the meeting. Again, apologies if you provided that verbally at the July meeting but that was before I started and Todd is on bereavement leave this week and I'm trying to pull together the info. It will help our team prep internally.

Thanks and I look forward to our meeting on the 18th.

Francey Lim Youngberg
Assistant Director
Department of Homeland Security/Immigration and Customs Enforcement
Office of Partnership and Engagement

(b)(6)

From: LINDA CORCHADO <(b)(6)>

Sent: Tuesday, October 5, 2021 4:05 PM

To: Youngberg, Francey L <(b)(6)>; JAWETZ, TOM-TSVI <(b)(6)>

<(b)(6)>; Murray, Royce <(b)(6)>

(b)(6)

Subject: Fwd: Meeting Request - Language Access in ICE/CBP Detention

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From: **LINDA CORCHADO** (b)(6)
Date: Wed, Jul 21, 2021 at 10:33 AM
Subject: Meeting Request - Language Access in ICE/CBP Detention
To: JAWETZ, TOM-TSVI (b)(6); Trasvina, John D
(b)(6)

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Tel: (b)(6)

Fax: (b)(6)

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From: KELLEY, ANGELA (b)(6)
(b)(6)
Sent: 11/16/2021 8:59:53 PM
To: Murray, Royce (b)(6)
(b)(6)
Subject: RE: 43 People Detained in Louisiana Due to Inability to Pay Bond

I take it you haven't gotten a response to your inquiry yet... Can flag to Tim this evening.

*Angela Maria Kelley
Senior Immigration Counselor
Office of the Secretary
Department of Homeland Security*

From: Murray, Royce (b)(6)
Sent: Monday, November 15, 2021 4:16 PM
To: Trickler-McNulty, Claire (b)(6)
Cc: Perry, Timothy C (b)(6); KELLEY, ANGELA (b)(6)
Subject: RE: 43 People Detained in Louisiana Due to Inability to Pay Bond

Thanks, Claire. Looping Angie as well. I wanted to circle back to this following the holiday and weekend.

Since Tae recently shared bond information with S1, I wanted to make sure that this information is consistent with those representations, i.e., that 92-93% of all bonds are posted regardless of whether they are a higher (10k+) or lower (under 10k) amount. Looking at what he shared, it was a combination of ICE and IJ bonds. Regardless, it's concerning that SPLC could identify 43 people in Louisiana alone who claim to be unable to pay ICE bonds.

Can someone inquire into this practice in NOLA? Tim, if someone is already looking into this, that would be great to know.

Much appreciated,
Royce

From: Trickler-McNulty, Claire (b)(6)
Sent: Monday, November 15, 2021 3:53 PM
To: Murray, Royce (b)(6)
Cc: Perry, Timothy C (b)(6)
Subject: RE: 43 People Detained in Louisiana Due to Inability to Pay Bond

I haven't seen anything. Looping Tim.

From: Murray, Royce (b)(6)
Sent: Monday, November 15, 2021 2:57 PM
To: Trickler-McNulty, Claire (b)(6)
Subject: FW: 43 People Detained in Louisiana Due to Inability to Pay Bond
Importance: High

Hi Claire,
Do you know if there's been any follow up on this?
Thanks,
Royce

From: Mich Gonzalez (b)(6) @spicenter.org>

Sent: Wednesday, November 10, 2021 4:22 PM

To: KELLEY, ANGELA (b)(6); Trickler-McNulty, Claire (b)(6)

Murray, Royce (b)(6); Perry, Timothy C (b)(6)

Cc: Correll, Donnesha (b)(6); Salvano-Dunn, Dana (b)(6)

Elizabeth Nguyen (b)(6); Ana Maria Rivera-Forastieri

(b)(6); SIFI Louisiana (b)(6) @spicenter.org>

Subject: 43 People Detained in Louisiana Due to Inability to Pay Bond

Importance: High

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Dear Angie, Claire, Donnesha, Dana, Royce and Tim:

Our regional coalition and the National Bond Fund Network have noted a pattern of excessive ICE bonds in our region for immigrants seeking release from immigration detention in the NOLA ICE region. A current list of 43 immigrants detained in Louisiana because of an inability to pay bond is shared below. We are concerned that these bond amounts do not reflect a full consideration of all mitigating flight risk factors as required by ICE's own policy guidance. The fact that so many are being detained because of an inability to pay, even after applying for funding outside of their immediate community of resources, is also a deeply troubling due process issue that runs counter to the values of liberty and due process that our government claims to stand for. These individuals should not be detained because of an inability to pay. We strongly urge a reduction of these bond amounts to zero and the issuance of parole for these individuals and those similarly situated, particularly in light of mitigating family and community ties, viable relief, and fixed address; and the following facts. Many of these individuals are represented by counsel, and respondents who have legal representation appear in court at a rate of 93%. A National Study of Access to Counsel in Immigration Court, 164 U. Pa. L. Rev. 1, 57, 73 (2015). According to ICE's 2018 Fiscal Year Budget, the average cost per day to detain an adult in 2018 was \$133.99; the ongoing baseless detention of these and similarly individuals is costing taxpayers thousands of dollars per day.

According to ICE's own parole guidance, when the applicant's identity is established and that he presents neither a flight risk nor danger to the community, ICE "should, absent additional factors...parole the alien on the basis that his or her continued detention is not in the public interest." U.S. Customs and Immigration Enforcement Directive 11002.1, "Parole of Arriving Aliens Found to Have a Credible Fear of Persecution or Torture" (Dec. 8, 2009 (citing 8 C.F.R. 212.5(b)) at Sec. 6.2.

We also urge you to put a stop to the practice of excessive ICE bonds in this NOLA ICE region and exercise stronger oversight given the general practices of setting excessive ICE bond amounts or denying release entirely do not reflect the reality that immigrants do show up for their hearings at extremely high rates and do not represent a real flight risk. In fact, our very own client currently detained in the Jackson facility reports that an ICE officer told her and a group of women that "[they] could all leave if [they] can pay ICE \$10,000."

Thank you for any direct assistance you can provide in terms of these individuals and the broader troubling trend.

Name	A Number	Bond Amount
(b)(6)		\$15,000
(b)(6)		\$10,000
(b)(6)		\$10,000
(b)(6)		\$15,000

(b)(6)

\$15,000

\$20,000

Info missing

\$10,000

\$35,000

\$10,000

\$20,000

\$20,000

\$40,000

\$20,000

\$20,000

\$15,000

Info missing

\$40,000

\$6,000

\$15,000

\$14,000

\$20,000

\$20,000

\$7,000

Info missing

\$10,000

\$10,000

\$10,000

\$20,000

\$10,000

\$10,000

\$10,000

\$20,000

\$10,000

\$10,000

\$15,000

\$10,000

\$6,000

\$15,000

\$20,000

\$15,000

\$10,000

\$13,000

Mich P. González *she/they*
Associate Director of SIFI Advocacy | Legal
Southern Poverty Law Center
T (b)(6)
(b)(6)@spicenter.org | www.spicenter.org
Admitted in New York
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From: WOLFE, HERBERT (b)(6)
(b)(6)
Sent: 6/30/2023 11:37:49 PM
To: Murray, Royce (b)(6)
(b)(6)
Subject: Re: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

Royce,
Received and thanks for forwarding. Let me engage IHSC now. More to follow.
HOW

Dr. Herbert Wolfe, MHS-PA
DHS (A) Chief Medical Officer
(A) Director, Office of Health Security
e. (b)(6)
p. (b)(6)

From: Murray, Royce (b)(6)
Sent: Friday, June 30, 2023 7:31:33 PM
To: WOLFE, HERBERT (b)(6)
Subject: Fwd: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

Dr. Wolfe,
Escalating to you since it's a long weekend and I don't want this to get missed. Can you please assist?
Thanks very much,
Royce

Royce Bernstein Murray
Senior Counselor, Office of the Secretary
U.S. Department of Homeland Security
(b)(6)
(c) (b)(6)

From: Rose Murray (b)(6) @splcenter.org>
Sent: Friday, June 30, 2023 6:37:21 PM
To: (b)(6), (b)(7)(C) DEFRAITES, MEREDITH (b)(6) DRAKE,
MARIAN (b)(6) Chandler, Wendy (b)(6) GAMBLE, NICOLE
(b)(6) Murray, Royce (b)(6) Trickler-McNulty, Claire (b)(6)
(b)(6)
Cc: Felix Montanez (b)(6) @splcenter.org>; Dawynrico McCain (b)(6) @splcenter.org>; Mich
Gonzalez (b)(6) @splcenter.org>
Subject: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

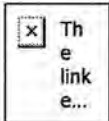
Dear all,

(b)(6) continues to be forced to go outside each day. On top of this, he has started feeling chest pain and shortness of breath some nights and early mornings. This Wednesday morning he had bad chest pains and shortness of breath beginning around 4:45 am. He requested emergency medical assistance and was told it was change of shift. He

again requested it of the new staff who came on at 6:00 am. The report went unheeded. When the pod was taken for lunch (b)(6) begged the escorting staff to let him go to medical over the issue. He was told to wait in line but given the emergency nature of his symptoms he cut the line and was finally seen by a nurse. No follow up was ordered. He is extremely concerned, especially that he is now starting to feel this at night. **He reports that his father, who also had Sickle Cell Disease, died in his sleep.**

We are extremely concerned that this is a complication due to his completely unmanaged Sickle Cell Disease. He could be experiencing Acute Chest Syndrome, which is a life-threatening condition for people with Sickle Cell according to the CDC. This is on top of a prolonged pain crisis that is not being controlled by medication and the systemic failure to provide him with regular chronic care specialist visits for his Sickle Cell to receive transfusions and regular check ups. **When is ICE going to provide appropriate care for (b)(6) Sickle Cell disease, prolonged pain crisis, chest pains, and shortness of breath? He has been detained since July of 2019 almost four years and never had this.**

I implore each of you to please take responsibility to ensure that (b)(6) immediately gets the care he needs and is not the next Ernesto Rocha Cuadra.



Rose Murray she/herella
Senior Direct Services Attorney | Southeast Immigrant
Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)
(b)(6) @splcenter.org | splcenter.org
Licensed in Admitted in Louisiana

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From: Rose Murray
Sent: Thursday, June 29, 2023 10:49 AM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez (b)(6) @splcenter.org; Dawynrico McCain (b)(6) @splcenter.org;
DEFRAITES, MEREDITH (b)(6) DRAKE, MARIAN (b)(6) Chandler,
Wendy (b)(6) Mich Gonzalez (b)(6) @splcenter.org; GAMBLE, NICOLE
(b)(6)
Subject: RE: (b)(6) Medical Records Request & Shortness of Breath report

Dear (b)(6),(b)(7)(C)

As of yesterday (b)(6) is still being forced to go out to the yard in scorching temperatures that continue to cause great pain in his chest and shortness of breath such that he could barely breath. He asked the officer about the options that you explained – going to law library instead of outside or getting a medical pass – and the officer responded that he didn't know what he was talking about. Given (b)(6) Sickle Cell disease, this presents a concern that he could be experiencing Acute Chest Syndrome, which is a life-threatening condition for people with Sickle Cell according to the CDC. Could you please intervene to ensure that (b)(6) can have a prompt medical visit about this to obtain the pass (he says that requests for medical visits are only processed on Sundays and the week after) and in the meantime that he is allowed to go to the law library or really do anything else instead of being forced outside?



Rose Murray she/her/ella
 Senior Direct Services Attorney | Southeast Immigrant
 Freedom Initiative
 Southern Poverty Law Center
 T (b)(6) C (b)(6) F (b)(6)
 (b)(6) @spicenter.org | spicenter.org
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From: Rose Murray
Sent: Wednesday, June 28, 2023 11:28 AM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez (b)(6) @spicenter.org>; Dawynrico McCain (b)(6) @spicenter.org>;
 DEFRAITES, MEREDITH (b)(6) DRAKE, MARIAN (b)(6) Chandler,
 Wendy (b)(6)
Subject: Re: (b)(6) Medical Records Request & Shortness of Breath report

Thanks for the prompt follow up with us, (b)(6), and medical unit. We appreciate it.

Did the medical unit advise anything as to a chronic care specialist referral?

El jun. 28, 2023, a la(s) 11:04 a.m., (b)(6),(b)(7)(C) >escribió:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Day Ms. Murray,

I spoke with your client this morning during camp visit in reference to the options at the time of recreation here at Krome. I informed him that if he wishes to, one option is for him to request to go to the law library. Another option, (as per your request) if he wishes, he can submit a request to our medical staff for a medical pass that might allow him to stay indoors at the time of recreation, and/or request to be housed at the medical unit since in this unit, they have an indoor day room that connects to an outside open court area that allows him to walk in and out as he pleases during recreation time.

In addition to forwarding your email from yesterday to our medical management staff, I have sent them another email today with these details of my conversation with your client.

Respectfully,

(b)(6),(b)(7)(C)

Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

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From: Rose Murray (b)(6)@spicenter.org>

Sent: Tuesday, June 27, 2023 5:28 PM

To: (b)(6),(b)(7)(C)

Cc: Felix Montanez <(b)(6)@spicenter.org>; Dawynrico McCain

(b)(6) DEFRAITES, MEREDITH (b)(6)

DRAKE, MARIAN (b)(6)

Subject: RE: (b)(6) Medical Records Request & Shortness of Breath report

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Can you confirm that (b)(6) will not be forced to go or remain outside if he experiences shortness of breath?

<WRD3303.jpg>

Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast Immigrant
Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)
(b)(6)@spicenter.org | spicenter.org
Licensed in Admitted in Louisiana

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From: (b)(6),(b)(7)(C)
Sent: Tuesday, June 27, 2023 3:31 PM
To: Rose Murray (b)(6)
Cc: Felix Montanez (b)(6); Dawynrico McCain
(b)(6) DEFRAITES, MEREDITH (b)(6)
DRAKE, MARIAN (b)(6) (b)(6),(b)(7)(C)
Subject: RE: (b)(6) Medical Records Request & Shortness of Breath report

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Ms. Murray,

I'll still need form ICE Form 600-001 to be fill out and signed by your client.

Respectfully,

(b)(6),(b)(7)(C)
Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)
Email: (b)(6),(b)(7)(C)

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From: Rose Murray (b)(6)
Sent: Tuesday, June 27, 2023 4:28 PM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez <(b)(6)@spicenter.org>; Dawynrico McCain
(b)(6)@spicenter.org; DEFRAITES, MEREDITH (b)(6) DRAKE,
MARIAN (b)(6)
Subject: Re: (b)(6) Medical Records Request & Shortness of Breath report

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Office: (b)(6),(b)(7)(C)

These forms are good for at least a year. It is not feasible nor necessary to get all of these forms re-signed by our client every month. Please accept these recently signed forms.

El jun. 27, 2023, a la(s) 12:53 p.m., (b)(6),(b)(7)(C)
escribió:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Ms. Murray,

Your information will be forwarded to our medical management staff.

As for the medical records request, since the provided forms were signed over a month ago, I have attached updated and required forms for the release of the requested information.

Please fill out the forms, have your client sign them and once I received them signed I will forward them to our medical staff for process.

Respectfully,

(b)(6),(b)(7)(C)
Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)
Email: (b)(6),(b)(7)(C) (unclassified)

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From: Rose Murray (b)(6) @spicenter.org>
Sent: Tuesday, June 27, 2023 12:26 PM
To: (b)(6)
Cc: Felix Montanez; (b)(6) @spicenter.org>; Dawynrico McCain
(b)(6) @spicenter.org>; DEFRAITES, MEREDITH
(b)(6) DRAKE, MARIAN (b)(6)
Subject: (b)(6) Medical Records Request & Shortness of Breath report

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Dear Officer (b)(6),(b)(7)(C)

I am writing with regard to our client (b)(6). By way of some background information, (b)(6) lives with Sickle Cell Disease. During his years long ICE detention, his condition has significantly deteriorated and he is experiencing a prolonged pain crisis. I wanted to generally touch base to see if ICE at Krome can set him up with chronic care with a Sickle Cell specialist to receive regular monitoring and transfusions if needed (given the prolonged pain crisis, they probably are). We would also like to request a copy of all medical records from May 9, 2023 to present – for this request I’ve attached my G28, and the signed ICE Health Corps Release and HIPPA Release from (b)(6)

One recent acute medical issue that’s come up for (b)(6) is a shortness of breath and dizziness on top of his pre existing vertigo. He said that outside time at Krome is “mandatory” so when temperatures are high above 100 degrees, everyone is forced to go out and cannot opt to stay inside. The last several times he has been outside in these high temps, it was too much for him, he felt a frightening shortness of breath, and felt like he was going to black out. He communicated this to an (b)(6),(b)(7)(C) on duty who replied “pass out then, because I gotta be out here too, we can pass out together.” Even upon everyone being let back inside, he continued to feel an alarming shortness of breath for some time. This has happened for several days in the last week. Given that he does have Sickle Cell disease, this presents a concern that he could be experiencing Acute Chest Syndrome, which is a life-threatening condition for people with Sickle Cell according to the CDC. We request that he be given the option not to go outside on hot days so as not to trigger this shortness of breath; or at the very least that he be allowed back in if he communicates that he is having these issues.

We have been in communication with some other officers including (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) about (b)(6) various health concerns so I am copying them into this thread as well.

<~WRD3628.jpg>

Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast In
Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)
(b)(6) @spicenter.org | spicenter.org
Licensed in Admitted in Louisiana

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From: (b)(6),(b)(7)(C)
Sent: Wednesday, June 21, 2023 3:11 PM
To: Rose Murray; (b)(6)
Cc: (b)(6),(b)(7)(C)
Subject: TALTON Form - Request for phone numbers to be set as privileged calls (not recorded/not monitored)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Ms. Murray,

Attached is the TALTON form to request phone numbers to be set as privileged calls (not recorded/not monitored).

Respectfully,

(b)(6),(b)(7)(C)
Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)
Email: (b)(6),(b)(7)(C) (unclassified)

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<AUTHORIZING DISCLOSURE TO A THIRD PARTY ICE FORM 60-001.pdf>
<IHSC 003S Medical Records Release Form Fillable (Eng-Spa) (2020).pdf>

OVERSIGHT PROJECT
IT'S YOUR GOVERNMENT

From: WOLFE, HERBERT (b)(6)
(b)(6)
Sent: 7/1/2023 3:06:18 AM
To: Murray, Royce (b)(6)
(b)(6)
Subject: Re: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

Thank you.
HOW

Dr. Herbert Wolfe, MHS-PA
DHS (A) Chief Medical Officer
(A) Director, Office of Health Security
e. (b)(6)
p. (b)(6)

From: Murray, Royce (b)(6)
Sent: Friday, June 30, 2023 11:05:05 PM
To: WOLFE, HERBERT (b)(6)
Subject: Fwd: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

FYI

Royce Bernstein Murray
Senior Counselor, Office of the Secretary
U.S. Department of Homeland Security

(b)(6)
(c) (b)(6)

From: Chandler, Wendy (b)(6)
Sent: Friday, June 30, 2023 9:03:24 PM
To: Rose Murray (b)(6)@splcenter.org>
Cc: Felix Montanez (b)(6)@splcenter.org>; Dawynrico McCain (b)(6)@splcenter.org>; Mich Gonzalez (b)(6)@splcenter.org>; (b)(6),(b)(7)(C) DEFRAITES, MEREDITH (b)(6) DRAKE, MARIAN (b)(6) GAMBLE, NICOLE (b)(6) Murray, Royce (b)(6) Trickler-McNulty, Claire <Claire.Trickler-(b)(6)>
Subject: RE: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

Good evening Ms. Murray,

Your client was seen by the ICE medical staff today who evaluated him. We spoke with the medical administrators regarding (b)(6) options for recreation and will follow up again to make sure all of his medical concerns are being attended to.

Regards,

Wendy Chandler

Supervisory Detention and Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement

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From: Rose Murray (b)(6)@splcenter.org>

Sent: Friday, June 30, 2023 6:37 PM

To: (b)(6),(b)(7)(C) DEFRAITES, MEREDITH (b)(6) DRAKE, MARIAN (b)(6) Chandler, Wendy (b)(6) GAMBLE, NICOLE (b)(6) Murray, Royce (b)(6) Trickler-McNulty, Claire <Claire.Trickler-(b)(6)>

Cc: Felix Montanez (b)(6)@splcenter.org>; Dawynrico McCain (b)(6)@splcenter.org>; Mich Gonzalez (b)(6)@splcenter.org>

Subject: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

Importance: High

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Dear all,

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We are extremely concerned that this is a complication due to his completely unmanaged Sickle Cell Disease. He could be experiencing Acute Chest Syndrome, which is a life-threatening condition for people with Sickle Cell according to the CDC. This is on top of a prolonged pain crisis that is not being controlled by medication and the systemic failure to provide him with regular chronic care specialist visits for his Sickle Cell to receive transfusions and regular check ups. **When is ICE going to provide appropriate care for (b)(6) Sickle Cell disease, prolonged pain crisis, chest pains, and shortness of breath? He has been detained since July of 2019 almost four years and never had this.**

I implore each of you to please take responsibility to ensure that (b)(6) immediately gets the care he needs and is not the next Ernesto Rocha Cuadra.



Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast Immigrant
Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)

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From: Rose Murray
Sent: Thursday, June 29, 2023 10:49 AM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez <(b)(6)@spicenter.org>; Dawynrico McCain (b)(6)
DEFRAITES, MEREDITH (b)(6); DRAKE, MARIAN (b)(6); Chandler,
Wendy (b)(6); Mich Gonzalez (b)(6)@spicenter.org; GAMBLE, NICOLE
(b)(6)
Subject: RE: (b)(6) Medical Records Request & Shortness of Breath report

Dear Officer (b)(6),(b)(7)(C)

As of yesterday (b)(6) is still being forced to go out to the yard in scorching temperatures that continue to cause great pain in his chest and shortness of breath such that he could barely breath. He asked the officer about the options that you explained – going to law library instead of outside or getting a medical pass – and the officer responded that he didn't know what he was talking about. Given (b)(6) Sickle Cell disease, this presents a concern that he could be experiencing Acute Chest Syndrome, which is a life-threatening condition for people with Sickle Cell according to the CDC. Could you please intervene to ensure that (b)(6) can have a prompt medical visit about this to obtain the pass (he says that requests for medical visits are only processed on Sundays and the week after) and in the meantime that he is allowed to go to the law library or really do anything else instead of being forced outside?



Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast Immigrant
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From: Rose Murray
Sent: Wednesday, June 28, 2023 11:28 AM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez <(b)(6)@spicenter.org>; Dawynrico McCain (b)(6)
DEFRAITES, MEREDITH (b)(6); DRAKE, MARIAN (b)(6); Chandler,

Wendy (b)(6)

Subject: Re: (b)(6) Medical Records Request & Shortness of Breath report

Thanks for the prompt follow up with us, (b)(6), and medical unit. We appreciate it.

Did the medical unit advise anything as to a chronic care specialist referral?

El jun. 28, 2023, a la(s) 11:04 a.m., (b)(6),(b)(7)(C) escribió:

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In addition to forwarding your email from yesterday to our medical management staff, I have sent them another email today with these details of my conversation with your client.

Respectfully,

(b)(6),(b)(7)(C)

Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)
Email: (b)(6),(b)(7)(C) (unclassified)

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From: Rose Murray <rose.murray@spicenter.org> (b)(6)
Sent: Tuesday, June 27, 2023 5:28 PM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez (b)(6); Dawynrico McCain (b)(6); @spicenter.org; DEFRAITES, MEREDITH (b)(6); DRAKE, MARIAN (b)(6)
Subject: RE: (b)(6) Medical Records Request & Shortness of Breath report

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Can you confirm that (b)(6) will not be forced to go or remain outside if he experiences shortness of breath?

<WRD3303.jpg>

Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast Immigrant Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)
(b)(6)@spicenter.org | spicenter.org
Licensed in Admitted in Louisiana

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To: Rose Murray (b)(6)@spicenter.org
Cc: Felix Montanez (b)(6)@spicenter.org; Dawynrico McCain (b)(6); DEFRAITES, MEREDITH (b)(6); DRAKE, MARIAN (b)(6); (b)(6),(b)(7)(C)
Subject: RE: (b)(6) Medical Records Request & Shortness of Breath report

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Ms. Murray,

I'll still need form ICE Form 600-001 to be fill out and signed by your client.

Respectfully,

(b)(6),(b)(7)(C)

Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)
Email: (b)(6),(b)(7)(C) (unclassified)

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From: Rose Murray (b)(6)
Sent: Tuesday, June 27, 2023 4:28 PM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez <(b)(6)@spicenter.org>; Dawynrico McCain (b)(6); DEFRAITES, MEREDITH <(b)(6)>; DRAKE, MARIAN (b)(6)
Subject: Re: (b)(6) Medical Records Request & Shortness of Breath report

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(b)(6),(b)(7)(C)

These forms are good for at least a year. It is not feasible nor necessary to get all of these forms resigned by our client every month. Please accept these recently signed forms.

El jun. 27, 2023, a la(s) 12:53 p.m., (b)(6),(b)(7)(C) escribió:

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Good afternoon Ms. Murray,

Your information will be forwarded to our medical management staff.

As for the medical records request, since the provided forms were signed over a month ago, I have attached updated and required forms for the release of the requested information.

Please fill out the forms, have your client sign them and once I received them signed I will forward them to our medical staff for process.

Respectfully,

(b)(6),(b)(7)(C)

Deportation Officer

Detained Case Management

Miami Field Office, Krome SPC

Enforcement & Removal Operations

U.S. Immigration & Customs Enforcement

18201 sw 12th St. Miami FL 33194

Desk Phone #: (b)(6),(b)(7)(C)

Email: (b)(6),(b)(7)(C) (unclassified)

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From: Rose Murray (b)(6) @spicenter.org>

Sent: Tuesday, June 27, 2023 12:26 PM

To: (b)(6),(b)(7)(C)

Cc: Felix Montanez (b)(6) Dawynrico McCain

(b)(6) @spicenter.org>; DEFRAITES, MEREDITH

(b)(6) DRAKE, MARIAN (b)(6)

Subject: (b)(6) Medical Records Request & Shortness of Breath report

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Dear (b)(6),(b)(7)(C)

I am writing with regard to our client (b)(6). By way of some background information, (b)(6) lives with Sickle Cell Disease. During his years long ICE detention, his condition has significantly deteriorated and he is experiencing a prolonged pain crisis. I wanted to generally touch base to see if ICE at Krome can set him up with chronic care with a Sickle Cell specialist to receive regular monitoring and transfusions if needed (given the prolonged pain crisis, they probably are). We would

also like to request a copy of all medical records from May 9, 2023 to present – for this request I’ve attached my G28, and the signed ICE Health Corps Release and HIPPA Release from (b)(6)

One recent acute medical issue that’s come up for (b)(6) is a shortness of breath and dizziness on top of his pre existing vertigo. He said that outside time at Krome is “mandatory” so when temperatures are high above 100 degrees, everyone is forced to go out and cannot opt to stay inside. The last several times he has been outside in these high temps, it was too much for him, he felt a frightening shortness of breath, and felt like he was going to black out. He communicated this to an (b)(6),(b)(7)(C) on duty who replied “pass out then, because I gotta be out here too, we can pass out together.” Even upon everyone being let back inside, he continued to feel an alarming shortness of breath for some time. This has happened for several days in the last week. Given that he does have Sickle Cell disease, this presents a concern that he could be experiencing Acute Chest Syndrome, which is a life-threatening condition for people with Sickle Cell according to the CDC. We request that he be given the option not to go outside on hot days so as not to trigger this shortness of breath; or at the very least that he be allowed back in if he communicates that he is having these issues.

We have been in communication with some other officers including (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) about (b)(6) various health concerns so I am copying them into this thread as well.

<~WRD3628.jpg>

Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast In
Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)
(b)(6)@spicenter.org | spicenter.org
Licensed in Admitted in Louisiana

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From: (b)(6),(b)(7)(C)
Sent: Wednesday, June 21, 2023 3:11 PM
To: Rose Murray; (b)(6)@spicenter.org>
Cc: (b)(6),(b)(7)(C)
Subject: TALTON Form - Request for phone numbers to be set as privileged calls (not recorded/not monitored)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Ms. Murray,

Attached is the TALTON form to request phone numbers to be set as privileged calls (not recorded/not monitored).

Respectfully,

(b)(6),(b)(7)(C)
Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: **(b)(6),(b)(7)(C)**
Email: **(b)(6),(b)(7)(C)** (unclassified)

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<AUTHORIZING DISCLOSURE TO A THIRD PARTY ICE FORM 60-001.pdf>
<IHSC 0035 Medical Records Release Form Fillable (Eng-Spa) (2020).pdf>

From: WOLFE, HERBERT (b)(6)
(b)(6)
Sent: 7/1/2023 4:41:20 PM
To: Murray, Royce (b)(6)
(b)(6)
Subject: Re: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

FYSA - from IHSC. Today's evaluation by a nurse practitioner states:

45 yo male patient from Jamaica was since in the clinic today for f/u. Patient arrived to Krome on 6/13/2023. Patient had a negative PPD: 0 mm on 4/5/2023 as per transfer summary from Baker. Patient states he had chest pain describes a pressure in his mid-chest associated with SOB lasting ~ 30 minutes, non-radiate when he went to the recreation on 6/28/23. Patient states he has been asymptomatic, and he has not had any chest pain since then. Patient reports sickle cell since he was born. FMHx: Sickle cell disease: his father. Patient last crisis of sickle cell was in 2009. Patient has a hx of vertigo for many years. He described when he jumps quickly or change position fast, thing around him spinning. Patient has been compliant with medications, and he denies any side effect from medications. Patient denies any chest pain, SOB, dizziness, slurred speech, unsteady gait, n/v, nightmares, headache. Labs results reviewed with the patient.

EKG: Sinus rhythm

V/S WNL

Hematology referral

Given: Lower bunk/fist floor

Patient had blood work on 6/20/23: Hb: 12.0, Hc: 35.4 %,

Dr. Herbert Wolfe, MHS-PA
DHS (A) Chief Medical Officer
(A) Director, Office of Health Security
e: (b)(6)
p: (b)(6)

From: Murray, Royce (b)(6)
Sent: Friday, June 30, 2023 23:05
To: WOLFE, HERBERT (b)(6)
Subject: Fwd: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

FYI

Royce Bernstein Murray
Senior Counselor, Office of the Secretary
U.S. Department of Homeland Security
(b)(6)
(c): (b)(6)

From: Chandler, Wendy (b)(6)
Sent: Friday, June 30, 2023 9:03:24 PM
To: Rose Murray (b)(6)@splcenter.org
Cc: Felix Montanez (b)(6)@splcenter.org>; Dawynrico McCain (b)(6)@splcenter.org>; Mich

Gonzalez (b)(6)@splcenter.org>; (b)(6),(b)(7)(C); DEFRAITES, MEREDITH (b)(6);> DRAKE, MARIAN (b)(6) GAMBLE, NICOLE (b)(6) Murray, Royce (b)(6) Trickler-McNulty, Claire (b)(6) (b)(6)
Subject: RE: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

Good evening Ms. Murray,

Your client was seen by the ICE medical staff today who evaluated him. We spoke with the medical administrators regarding (b)(6) options for recreation and will follow up again to make sure all of his medical concerns are being attended to.

Regards,

Wendy Chandler

Supervisory Detention and Deportation Officer

Detained Case Management

Miami Field Office, Krome SPC

Enforcement and Removal Operations

U.S. Immigration and Customs Enforcement

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From: Rose Murray (b)(6)@splcenter.org>

Sent: Friday, June 30, 2023 6:37 PM

To: (b)(6),(b)(7)(C); DEFRAITES, MEREDITH (b)(6); DRAKE, MARIAN (b)(6) Chandler, Wendy (b)(6) GAMBLE, NICOLE (b)(6) Murray, Royce (b)(6) Trickler-McNulty, Claire (b)(6) (b)(6)

Cc: Felix Montanez (b)(6)@splcenter.org>; Dawynrico McCain (b)(6)@splcenter.org>; Mich Gonzalez (b)(6)@splcenter.org>

Subject: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

Importance: High

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Dear all,

(b)(6) continues to be forced to go outside each day. On top of this, he has started feeling chest pain and shortness of breath some nights and early mornings. This Wednesday morning he had bad chest pains and shortness of breath beginning around 4:45 am. He requested emergency medical assistance and was told it was change of shift. He again requested it of the new staff who came on at 6:00 am. The report went unheeded. When the pod was taken for lunch, (b)(6) begged the escorting staff to let him go to medical over the issue. He was told to wait in line but given the emergency nature of his symptoms he cut the line and was finally seen by a nurse. No follow up was ordered. He is extremely concerned, especially that he is now starting to feel this at night. **He reports that his father, who also had Sickle Cell Disease, died in his sleep.**

We are extremely concerned that this is a complication due to his completely unmanaged Sickle Cell Disease. He could be experiencing Acute Chest Syndrome, which is a life-threatening condition for people with Sickle Cell according to the CDC. This is on top of a prolonged pain crisis that is not being controlled by medication and the systemic failure to provide him with regular chronic care specialist visits for his Sickle Cell to receive transfusions and regular check ups. **When is ICE going to provide appropriate care for (b)(6) Sickle Cell disease, prolonged pain crisis, chest pains, and shortness of breath? He has been detained since July of 2019 almost four years and never had this.**

I implore each of you to please take responsibility to ensure that (b)(6) immediately gets the care he needs and is not the next Ernesto Rocha Cuadra.



Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast Immigrant
Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)
(b)(6) @splcenter.org | splcenter.org
Licensed in Admitted in Louisiana

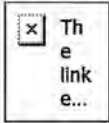
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From: Rose Murray
Sent: Thursday, June 29, 2023 10:49 AM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez (b)(6) @splcenter.org>; Dawynrico McCain (b)(6) @splcenter.org>; DEFRAITES, MEREDITH (b)(6)>; DRAKE, MARIAN (b)(6)>; Chandler, Wendy (b)(6) Mich Gonzalez (b)(6) @splcenter.org>; GAMBLE, NICOLE (b)(6)
Subject: RE: (b)(6) Medical Records Request & Shortness of Breath report

Dear (b)(6),(b)(7)(C)

As of yesterday (b)(6) is still being forced to go out to the yard in scorching temperatures that continue to cause great pain in his chest and shortness of breath such that he could barely breath. He asked the officer about the options that you explained – going to law library instead of outside or getting a medical pass – and the officer responded that he didn't know what he was talking about. Given (b)(6)' Sickle Cell disease, this presents a concern that he could be experiencing Acute Chest Syndrome, which is a life-threatening condition for people with Sickle Cell according to the

CDC. Could you please intervene to ensure that (b)(6) can have a prompt medical visit about this to obtain the pass (he says that requests for medical visits are only processed on Sundays and the week after) and in the meantime that he is allowed to go to the law library or really do anything else instead of being forced outside?



Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast Immigrant
Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)
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From: Rose Murray
Sent: Wednesday, June 28, 2023 11:28 AM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez (b)(6) @splcenter.org>; Dawynrico McCain (b)(6) @splcenter.org>;
DEFRAITES, MEREDITH (b)(6); DRAKE, MARIAN (b)(6) Chandler,
Wendy (b)(6)
Subject: Re: (b)(6) Medical Records Request & Shortness of Breath report

Thanks for the prompt follow up with us, (b)(6) and medical unit. We appreciate it.

Did the medical unit advise anything as to a chronic care specialist referral?

El jun. 28, 2023, a la(s) 11:04 a.m., (b)(6),(b)(7)(C) escribió:

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Good Day Ms. Murray,

I spoke with your client this morning during camp visit in reference to the options at the time of recreation here at Krome. I informed him that if he wishes to, one option is for him to request to go to the law library. Another option, (as per your request) if he wishes, he can submit a request to our medical staff for a medical pass that might allow him to stay indoors at the time of recreation, and/or request to be housed at the medical unit since in this unit, they have an indoor day room that connects to an outside open court area that allows him to walk in and out as he pleases during recreation time.

In addition to forwarding your email from yesterday to our medical management staff, I have sent them another email today with these details of my conversation with your client.

Respectfully,

(b)(6),(b)(7)(C)
Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)
Email: (b)(6),(b)(7)(C) (unclassified)

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From: Rose Murray (b)(6)@splcenter.org>
Sent: Tuesday, June 27, 2023 5:28 PM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez (b)(6)@splcenter.org>; Dawynrico McCain (b)(6)@splcenter.org>; DEFRAITES, MEREDITH (b)(6)
DRAKE, MARIAN (b)(6)
Subject: RE: (b)(6) Medical Records Request & Shortness of Breath report

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Can you confirm that (b)(6) will not be forced to go or remain outside if he experiences shortness of breath?

<WRD3303.jpg>

Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast Immigrant
Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)
(b)(6)splcenter.org | splcenter.org
Licensed in Admitted in Louisiana

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From: (b)(6),(b)(7)(C)
Sent: Tuesday, June 27, 2023 3:31 PM
To: Rose Murray (b)(6)@splcenter.org>
Cc: Felix Montanez (b)(6)@splcenter.org>; Dawynrico McCain (b)(6)@splcenter.org>; DEFRAITES, MEREDITH (b)(6)
DRAKE, MARIAN (b)(6); Martinez, Juan H (b)(6)
Subject: RE: (b)(6) Medical Records Request & Shortness of Breath report

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Ms. Murray,

I'll still need form ICE Form 600-001 to be fill out and signed by your client.

Respectfully,

(b)(6),(b)(7)(C)
Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)
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To: (b)(6),(b)(7)(C)

Cc: Felix Montanez (b)(6)plcenter.org>; Dawynrico McCain

(b)(6)@splcenter.org>; DEFRAITES, MEREDITH (b)(6); DRAKE,

MARIAN (b)(6)

Subject: Re: (b)(6) Medical Records Request & Shortness of Breath report

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Please fill out the forms, have your client sign them and once I received them signed I will forward them to our medical staff for process.

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Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC

Enforcement & Removal Operations
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Subject: (b)(6) Medical Records Request & Shortness of Breath report

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Dear (b)(6),(b)(7)(C)

I am writing with regard to our client (b)(6). By way of some background information, (b)(6) lives with Sickle Cell Disease. During his years long ICE detention, his condition has significantly deteriorated and he is experiencing a prolonged pain crisis. I wanted to generally touch base to see if ICE at Krome can set him up with chronic care with a Sickle Cell specialist to receive regular monitoring and transfusions if needed (given the prolonged pain crisis, they probably are). We would also like to request a copy of all medical records from May 9, 2023 to present – for this request I've attached my G28, and the signed ICE Health Corps Release and HIPPA Release from (b)(6)

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We have been in communication with some other officers including (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) about (b)(6) various health concerns so I am copying them into this thread as well.

<WRD3628.jpg>

Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast In
Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)
(b)(6) @spicenter.org | spicenter.org
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From: M (b)(6),(b)(7)(C)
Sent: Wednesday, June 21, 2023 3:11 PM
To: Rose Murray (b)(6) @spicenter.org
Cc: (b)(6),(b)(7)(C)
Subject: TALTON Form - Request for phone numbers to be set as privileged calls (not recorded/not monitored)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Ms. Murray,

Attached is the TALTON form to request phone numbers to be set as privileged calls (not recorded/not monitored).

Respectfully,

(b)(6),(b)(7)(C)

Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone (b)(6),(b)(7)(C)
Email: (b)(6),(b)(7)(C) (unclassified)

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<AUTHORIZING DISCLOSURE TO A THIRD PARTY ICE FORM 60-001.pdf>
<IHSC 003S Medical Records Release Form Fillable (Eng-Spa) (2020).pdf>

From: Rose Murray [(b)(6)]@splcenter.org
Sent: 7/10/2023 5:18:58 PM
To: Chandler, Wendy [(b)(6)]
CC: Felix Montanez [(b)(6)]@splcenter.org; Dawynrico McCain [(b)(6)]@splcenter.org; Mich Gonzalez [(b)(6)]@splcenter.org; [(b)(6),(b)(7)(C)]
[(b)(6)] DEFRAITES, MEREDITH
[(b)(6)] DRAKE, MARIAN
[(b)(6)] GAMBLE, NICOLE
[(b)(6)] Murray, Royce
[(b)(6)] Trickler-McNulty, Claire [(b)(6)]
Subject: RE: [(b)(6)] - Reoccurring Chest Pain & Shortness of Breath Report

Thank you Officer Chandler.

**Rose Murray** she/her/ella
Senior Direct Services Attorney | Southeast Immigrant Freedom Initiative
Southern Poverty Law Center
T [(b)(6)] C [(b)(6)] F [(b)(6)]
[(b)(6)]@splcenter.org | splcenter.org
Licensed in Admitted in Louisiana

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From: Chandler, Wendy [(b)(6)]
Sent: Friday, June 30, 2023 8:03 PM
To: Rose Murray [(b)(6)]@splcenter.org
Cc: Felix Montanez [(b)(6)]@splcenter.org; Dawynrico McCain [(b)(6)]@splcenter.org; Mich Gonzalez [(b)(6)]@splcenter.org; [(b)(6),(b)(7)(C)] DEFRAITES, MEREDITH [(b)(6)]; DRAKE, MARIAN [(b)(6)] GAMBLE, NICOLE [(b)(6)]; Murray, Royce [(b)(6)] Trickler-McNulty, Claire [(b)(6)]
Subject: RE: [(b)(6)] - Reoccurring Chest Pain & Shortness of Breath Report

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Good evening Ms. Murray,

Your client was seen by the ICE medical staff today who evaluated him. We spoke with the medical administrators regarding (b)(6) options for recreation and will follow up again to make sure all of his medical concerns are being attended to.

Regards,

Wendy Chandler

Supervisory Detention and Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement

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From: Rose Murray (b)(6)@splcenter.org>

Sent: Friday, June 30, 2023 6:37 PM

To: (b)(6),(b)(7)(C) DEFRAITES, MEREDITH (b)(6) DRAKE, MARIAN (b)(6); Chandler, Wendy (b)(6) GAMBLE, NICOLE (b)(6) Murray, Royce (b)(6) Trickler-McNulty, Claire (b)(6)@ice.dhs.gov>

Cc: Felix Montanez (b)(6)@splcenter.org>; Dawynrico McCain (b)(6)@splcenter.org>; Mich Gonzalez (b)(6)@splcenter.org>

Subject: (b)(6) - Reoccurring Chest Pain & Shortness of Breath Report

Importance: High

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Dear all,

(b)(6) continues to be forced to go outside each day. On top of this, he has started feeling chest pain and shortness of breath some nights and early mornings. This Wednesday morning he had bad chest pains and shortness of breath beginning around 4:45 am. He requested emergency medical assistance and was told it was change of shift. He again requested it of the new staff who came on at 6:00 am. The report went unheeded. When the pod was taken for lunch, (b)(6) begged the escorting staff to let him go to medical over the issue. He was told to wait in line but given the emergency nature of his symptoms he cut the line and was finally seen by a nurse. No follow up was ordered. He is extremely concerned, especially that he is now starting to feel this at night. **He reports that his father, who also had Sickle Cell Disease, died in his sleep.**

We are extremely concerned that this is a complication due to his completely unmanaged Sickle Cell Disease. He could be experiencing Acute Chest Syndrome, which is a life-threatening condition for people with Sickle Cell according to the CDC. This is on top of a prolonged pain crisis that is not being controlled by medication and the systemic failure to provide him with regular chronic care specialist visits for his Sickle Cell to receive transfusions and regular check ups. **When is ICE going to provide appropriate care for (b)(6) Sickle Cell disease, prolonged pain crisis, chest pains, and shortness of breath? He has been detained since July of 2019 almost four years and never had this.**

I implore each of you to please take responsibility to ensure that (b)(6) immediately gets the care he needs and is not the next Ernesto Rocha Cuadra.



Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast Immigrant
Freedom Initiative
Southern Poverty Law Center
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From: Rose Murray
Sent: Thursday, June 29, 2023 10:49 AM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez (b)(6)@spicenter.org; Dawynrico McCain (b)(6)@spicenter.org;
DEFRAITES, MEREDITH (b)(6) DRAKE, MARIAN (b)(6) Chandler,
Wendy (b)(6) Mich Gonzalez (b)(6)@spicenter.org; GAMBLE, NICOLE
(b)(6)
Subject: RE: (b)(6) Medical Records Request & Shortness of Breath report

Dear (b)(6),(b)(7)(C)

As of yesterday (b)(6) is still being forced to go out to the yard in scorching temperatures that continue to cause great pain in his chest and shortness of breath such that he could barely breath. He asked the officer about the options that you explained – going to law library instead of outside or getting a medical pass – and the officer responded that he didn't know what he was talking about. Given (b)(6) Sickle Cell disease, this presents a concern that he could be experiencing Acute Chest Syndrome, which is a life-threatening condition for people with Sickle Cell according to the CDC. Could you please intervene to ensure that (b)(6) can have a prompt medical visit about this to obtain the pass (he says that requests for medical visits are only processed on Sundays and the week after) and in the meantime that he is allowed to go to the law library or really do anything else instead of being forced outside?



Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast Immigrant
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(b)(6)@spicenter.org | spicenter.org
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From: Rose Murray
Sent: Wednesday, June 28, 2023 11:28 AM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez (b)(6) @splcenter.org>; Dawynrico McCain (b)(6) @splcenter.org>; DEFRAITES, MEREDITH (b)(6); DRAKE, MARIAN (b)(6) Chandler, Wendy (b)(6)
Subject: Re: (b)(6) Medical Records Request & Shortness of Breath report

Thanks for the prompt follow up with us, (b)(6) and medical unit. We appreciate it.

Did the medical unit advise anything as to a chronic care specialist referral?

El jun. 28, 2023, a la(s) 11:04 a.m. (b)(6),(b)(7)(C) > escribió:

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Good Day Ms. Murray,

I spoke with your client this morning during camp visit in refence to the options at the time of recreation here at Krome. I informed him that if he wishes to, one option is for him to request to go to the law library. Another option, (as per your request) if he wishes, he can submit a request to our medical staff for a medical pass that might allow him to stay indoors at the time of recreation, and/or request to be housed at the medical unit since in this unit, they have an indoor day room that connects to an outside open court area that allows him to walk in and out as he pleases during recreation time.

In addition to forwarding your email from yesterday to our medical management staff, I have sent them another email today with these details of my conversation with your client.

Respectfully,

(b)(6),(b)(7)(C)
Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)
Email: (b)(6),(b)(7)(C) (unclassified)

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From: Rose Murray (b)(6) @splcenter.org>
Sent: Tuesday, June 27, 2023 5:28 PM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez (b)(6) @splcenter.org>; Dawynrico McCain (b)(6) @splcenter.org>; DEFRAITES, MEREDITH (b)(6)
DRAKE, MARIAN: (b)(6)
Subject: RE (b)(6) Medical Records Request & Shortness of Breath report

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Can you confirm that (b)(6) will not be forced to go or remain outside if he experiences shortness of breath?

<~WRD3303.jpg>

Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast Immigrant
Freedom Initiative
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From: (b)(6),(b)(7)(C)
Sent: Tuesday, June 27, 2023 3:31 PM
To: Rose Murray (b)(6) @splcenter.org>
Cc: Felix Montanez (b)(6) @splcenter.org>; Dawynrico McCain (b)(6) @splcenter.org>; DEFRAITES, MEREDITH (b)(6)
DRAKE, MARIAN: (b)(6) (b)(6),(b)(7)(C)
Subject: RE (b)(6) Medical Records Request & Shortness of Breath report

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Ms. Murray,

I'll still need form ICE Form 600-001 to be fill out and signed by your client.

Respectfully,

(b)(6),(b)(7)(C)

Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)
Email: (b)(6),(b)(7)(C) (unclassified)

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From: Rose Murray (b)(6) @splcenter.org>
Sent: Tuesday, June 27, 2023 4:28 PM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez (b)(6) @splcenter.org>; Dawynrico McCain (b)(6) @splcenter.org>; DEFRAITES, MEREDITH (b)(6) DRAKE, MARIAN (b)(6)
Subject: Re: (b)(6) Medical Records Request & Shortness of Breath report

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(b)(6),(b)(7)(C)

These forms are good for at least a year. It is not feasible nor necessary to get all of these forms re-signed by our client every month. Please accept these recently signed forms.

El jun. 27, 2023, a la(s) 12:53 p.m., (b)(6),(b)(7)(C) escribió:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Ms. Murray,

Your information will be forwarded to our medical management staff.

As for the medical records request, since the provided forms were signed over a month ago, I have attached updated and required forms for the release of the requested information.

Please fill out the forms, have your client sign them and once I received them signed I will forward them to our medical staff for process.

Respectfully,

(b)(6),(b)(7)(C)
Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)
Email: (b)(6),(b)(7)(C) (unclassified)

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From: Rose Murray (b)(6) @splcenter.org>
Sent: Tuesday, June 27, 2023 12:26 PM
To: (b)(6),(b)(7)(C)
Cc: Felix Montanez (b)(6) @splcenter.org>; Dawynrico McCain (b)(6) @splcenter.org>; DEFRAITES, MEREDITH (b)(6)
(b)(6) @splcenter.org>; DRAKE, MARIAN (b)(6)
Subject: (b)(6) Medical Records Request & Shortness of Breath report

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Dear (b)(6),(b)(7)(C)

I am writing with regard to our client (b)(6). By way of some background information, (b)(6) lives with Sickle Cell Disease. During his years long ICE detention, his condition has significantly deteriorated and he is experiencing a prolonged pain crisis. I wanted to generally touch base to see if ICE at Krome can set him up with chronic care with a Sickle Cell specialist to receive regular monitoring and transfusions if needed (given the prolonged pain crisis, they probably are). We would also like to request a copy of all medical records from May 9, 2023 to present – for this request I've attached my G28, and the signed ICE Health Corps Release and HIPPA Release from (b)(6).

One recent acute medical issue that's come up for (b)(6) is a shortness of breath and dizziness on top of his pre existing vertigo. He said that outside time at Krome is "mandatory" so when temperatures are high above 100 degrees, everyone is forced to go out and cannot opt to stay inside. The last several times he has been outside in these high temps, it was too much for him, he felt a frightening shortness of breath, and felt like he was going to black out. He communicated this to an (b)(6),(b)(7)(C) on duty who replied "pass out then, because I gotta be out here too, we can pass out together." Even upon everyone being let back inside, he continued to feel an alarming shortness of breath for some time. This has happened for several days in the last week. Given that he does have Sickle Cell disease, this presents a concern that he could be experiencing Acute Chest Syndrome, which is a life-threatening condition for people with Sickle Cell according to the CDC. We request that he be given the option not to go outside on hot days so as not to trigger this shortness of breath; or at the very least that he be allowed back in if he communicates that he is having these issues.

We have been in communication with some other officers including (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) about (b)(6) various health concerns so I am copying them into this thread as well.

<~WRD3628.jpg>

Rose Murray she/her/ella
Senior Direct Services Attorney | Southeast In
Freedom Initiative
Southern Poverty Law Center
T (b)(6) C (b)(6) F (b)(6)
(b)(6)@spicenter.org | spicenter.org
Licensed in Admitted in Louisiana

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From: (b)(6),(b)(7)(C)
Sent: Wednesday, June 21, 2023 3:11 PM
To: Rose Murray; (b)(6)@spicenter.org>
Cc: (b)(6),(b)(7)(C)

Subject: TALTON Form - Request for phone numbers to be set as privileged calls (not recorded/not monitored)

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Good afternoon Ms. Murray,

Attached is the TALTON form to request phone numbers to be set as privileged calls (not recorded/not monitored).

Respectfully,

(b)(6),(b)(7)(C)

Deportation Officer
Detained Case Management
Miami Field Office, Krome SPC
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
18201 sw 12th St. Miami FL 33194
Desk Phone #: (b)(6),(b)(7)(C)
Email: (b)(6),(b)(7)(C) (unclassified)

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<AUTHORIZING DISCLOSURE TO A THIRD PARTY ICE FORM 60-001.pdf>
<IHSC 0035 Medical Records Release Form Fillable (Eng-Spa) (2020).pdf>

From: Perry, Timothy C (b)(6)
Sent: 7/7/2021 3:01:14 AM
To: KELLEY, ANGELA (b)(6)
CC: Murray, Royce (b)(6)
Subject: RE: Fwd: Transgender Fraihat Class Member (b)(6)

Thanks, haven't seen this one. Will share with career professionals to evaluate to the extent appropriate consistent with law and policy.

From: KELLEY, ANGELA <(b)(6)>
Date: Tuesday, Jul 06, 2021, 10:00 PM
To: Perry, Timothy C (b)(6)
Cc: Murray, Royce (b)(6)
Subject: Fwd: Transgender Fraihat Class Member (b)(6)

Tim, Heidi mentioned this individual to me tonight. Wanted to be sure you've seen it as well.

Thanks!

Angie
Angela Maria Kelley
Senior Immigration Counselor
Department of Homeland Security

(b)(6)

From: Murray, Royce (b)(6)
Sent: Tuesday, July 6, 2021 9:47:52 PM
To: KELLEY, ANGELA (b)(6)
Subject: FW: Transgender Fraihat Class Member (b)(6)

Hi Angie,

I don't know if this case has been brought to your attention – a trans male detained at LaSalle pending a Fraihat request. The individual is an LPR convicted of persuading a minor to engage in sexual activity when he was 19 and the girl was 14. He served 8+ years in prison. Not sure if Claire is handling or if you want to share with Tim or if you'd recommend we await the Fraihat review. Thanks for your thoughts.

Royce

From: Heidi Altman (b)(6)
Sent: Tuesday, July 6, 2021 10:00 AM
To: Murray, Royce (b)(6); Trickler-McNulty, Claire (b)(6)
Cc: Mich Gonzalez (b)(6) @splcenter.org>
Subject: FW: Transgender Fraihat Class Member (b)(6)

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Good morning Royce and Claire,

I am writing to draw your attention to the case of (b)(6) a transgender man detained in Louisiana and represented by Mich Gonzalez at the SPLC SIFI project, cc'ed here. Mich has attempted to escalate the request for (b)(6) release to the ICE Case Review but it was kicked back because the field office has not yet adjudicated (b)(6) previously filed *Fraihat* release request. Below and attached is detailed information Mich has prepared regarding the context and circumstances surrounding (b)(6) criminal conviction, and the positive equities in favor of (b)(6) release including his medical risk factors and his USC mother waiting to sponsor him and his relief eligibility.

Particularly given the severely heightened risk of harm (b)(6) faces as a transgender person in ICE custody, we are grateful for any support you can provide in ensuring his release is promptly considered.

Best and thanks,
Heidi

From: Mich Gonzalez (b)(6)@splcenter.org>

Sent: Friday, July 2, 2021 8:41 AM

To: (b)(6)

Cc: (b)(6)

Subject: Transgender *Fraihat* Class Member (b)(6)

Good morning,

I represent (b)(6) a transgender man and national of the Philippines currently detained at the LaSalle ICE Processing Center. (See attached G28). **Please be advised that (b)(6) is a subclass member of the *Fraihat v. ICE* litigation due to his hypertension and severe anxiety, who was already infected with COVID-19 once while in ICE custody.**

Please review (b)(6) pending *Fraihat* release request which he filed *pro se* with the New Orleans ICE Field Office. Please also note that (b)(6) should not fall within the administration's enforcement priorities in that (1) he is not a national security risk; (2) he has resided in the United States since he was admitted as a Lawful Permanent Resident at the age of 12 on or about March 29, 2003; and (3) he does not pose a threat to public safety despite his one criminal conviction as an adult.

I. (b)(6) does not fall within the administration's public safety enforcement priority.

With respect to (b)(6) sole criminal conviction as a young adult for "persuading a minor to engage in sexual activity" and for which he has served the sentence imposed, it is instructive that the Jena Office of the Chief Counsel did not argue, in their motion to pretermitt his application for cancellation of removal for certain permanent residents, that the conviction constitutes an aggravated felony. (See attached DHS motion to pretermitt (b)(6) application for relief). It is also significant to note that in October 2014, after reaching the age of majority, the victim in his case sought legal counsel to help her lift the standing "no contact order" against (b)(6) and the Oakland County Court in Michigan granted to the motion to lift no contact order on November 26, 2014. (See attached *pro se* 42A cancellation application at pp. 87-88).

Although (b)(6) conviction on its face appears grave and justly concerning, additional context for its precursor is important to share with your office as (b)(6) attorney and advocate. Growing up, (b)(6) felt very isolated and unsupported with respect to his gender identity. In or about April 2009, when (b)(6) had just turned 19 years old, he began a virtual relationship with a girl he met online. He told her he was an 18-year-old-boy named (b)(6) and she told him she was 16, when in fact unbeknownst to (b)(6) she was 12 years old. They kept the virtual relationship going for 2 years, until the Summer of 2011 when (b)(6) decided they should meet (having assumed she had finally turned 18). At that time, (b)(6) revealed that he was one year older than initially shared and that he had not been born male. Concurrently, the girl revealed she also lied about her identity and was only 14 years old. Despite the upset on both sides, the two had developed strong feelings for one another over the course of the two year virtual relationship and (b)(6) made the wrongful decision to drive to meet her in November 2011, at which time they engaged in sexual conduct. (b)(6) was subsequently arrested in

May 2012 and convicted on April 13, 2013, when he was 21 years old. (b)(6) seriously repents his actions and served 8 years, 3 months and 10 days of his 10-year sentence due to his good behavior.

(b)(6) does not pose a threat to public safety in that his sole conviction arose out of special circumstances during his youth outlined above, and are not a result of any inherent predisposition for violent or inappropriate behavior towards others.

II. (b)(6) is not a flight risk as he is a longtime LPR with a pending appeal before the Board of Immigration Appeals, meritorious claims for relief and a U.S. citizen mother waiting to receive him at home in Norfolk, Virginia.

(b)(6) has a pending appeal before the Board of Immigration Appeals and a U.S. citizen mother waiting to receive him in their Norfolk, Virginia home. (See attached automated case information). In addition to his potential eligibility for cancellation of removal for certain permanent residents, (b)(6) also has a future fear of persecution in the Philippines as a transgender man.

The U.S. Department of State reports:

- “NGOs and media reported local governments used psychological abuse, including shaming, as punishment for community quarantine curfew violators. Under the torture statutes, the public parading or shaming of a person is illegal when used to undermine a person’s dignity and morale. In April village officials in Pandacaqui, Pampanga, detained three members of the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community for curfew violations. The officials told the detainees to dance provocatively and kiss each other on the lips while being streamed live on Facebook.” (p. 5)
- “Officials prohibit transgender individuals from obtaining passports that reflect their gender identity. Authorities print the gender at birth, as reported on the birth certificate, in the individual’s passport, which posed difficulty for transgender persons seeking to travel, such as instances of transgender individuals being denied boarding on aircraft.” (p. 36)
- “NGOs reported incidents of discrimination and abuse against LGBTI persons, including in employment, education, health care, housing, and social services. In June, Manila police arrested 20 Pride protesters for violating health safety protocols during the nationwide community quarantine. Some of those arrested reported they experienced discrimination while in detention.” (p. 36)

See *2020 Country Reports on Human Rights Practices: Philippines*, U.S. Department of State, March 2021 available at <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/philippines/>.

More recent reporting highlights the violence facing transgender persons in the Philippines:

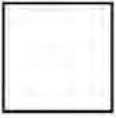
- “At least 50 transgender or gender nonbinary individuals have been murdered across the archipelago since 2010 — but the real death toll is likely much higher.”
- “‘Every time I hear terrible news about my trans sisters and trans brothers and trans siblings, it breaks me to pieces,’ Amber Gonzales Quiban, 25, told me late last year. ‘They’re just trying to be the best person that they can be and, yet, because the world is so full of prejudice and hatred, they’re gone in a snap. Just like that, they’re gone.’”
- “For those outside the Philippines, it can be hard to fully comprehend the everyday dangers experienced by trans women and men across its scattered islands, though they do occasionally make headlines around the world.”

See “‘I’m scared every damn day’: In the Philippines, violence shadows trans lives,” Corinne Redfern, The Fuller Project, January 7, 2021, available at <https://fullerproject.org/story/im-scared-every-damn-day-in-the-philippines-violence-shadows-trans-lives/>.

III. Conclusion

Based on all the foregoing, I respectfully request that your office review (b)(6) custody and release him as soon as possible so that he may continue to pursue his avenues for relief in the non-detained setting from the safety of his mother’s home.

Respectfully submitted,



Mich P. Gonzalez [@l/hé/they](#)
SIFI Lead Attorney | Legal
Southern Poverty Law Center
T: [\(b\)\(6\)](#) C: [\(b\)\(6\)](#)
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IT'S YOUR GOVERNMENT
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From: KELLEY, ANGELA (b)(6)
(b)(6)
Sent: 7/11/2021 12:47:14 PM
To: Perry, Timothy C (b)(6)
(b)(6)
CC: Murray, Royce (b)(6)
(b)(6)
Subject: Re: Transgender Fraihat Class Member – (b)(6)

Thank you Tim!

Angela Maria Kelley
Senior Immigration Counselor
Department of Homeland Security

(b)(6)

From: Perry, Timothy C (b)(6)
Sent: Sunday, July 11, 2021 8:42:47 AM
To: KELLEY, ANGELA (b)(6)
Cc: Murray, Royce (b)(6)
Subject: RE: Transgender Fraihat Class Member – (b)(6)

Sharing that career officials determined that this individual should be released on ATD with instructions to report to Norfolk, VA.

From: KELLEY, ANGELA (b)(6)
Sent: Tuesday, July 6, 2021 9:59 PM
To: Perry, Timothy C (b)(6)@ice.dhs.gov
Cc: Murray, Royce (b)(6)
Subject: Fwd: Transgender Fraihat Class Member (b)(6)

Tim, Heidi mentioned this individual to me tonight. Wanted to be sure you've seen it as well.

Thanks!

Angie
Angela Maria Kelley
Senior Immigration Counselor
Department of Homeland Security

(b)(6)

From: Murray, Royce (b)(6)
Sent: Tuesday, July 6, 2021 9:47:52 PM
To: KELLEY, ANGELA (b)(6)
Subject: FW: Transgender Fraihat Class Member – (b)(6)

Hi Angie,

I don't know if this case has been brought to your attention – a trans male detained at LaSalle pending a Fraihat request. The individual is an LPR convicted of persuading a minor to engage in sexual activity when he was 19 and the girl was 14. He served 8+ years in prison. Not sure if Claire is handling or if you want to share with Tim or if you'd recommend we await the Fraihat review. Thanks for your thoughts.

Royce

From: Heidi Altman (b)(6)
Sent: Tuesday, July 6, 2021 10:00 AM
To: Murray, Royce (b)(6); Trickler-McNulty, Claire (b)(6)
Cc: Mich Gonzalez (b)(6) @splcenter.org>
Subject: FW: Transgender Fraihat Class Member – (b)(6)

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Good morning Royce and Claire,

I am writing to draw your attention to the case of (b)(6) a transgender man detained in Louisiana and represented by Mich Gonzalez at the SPLC SIFI project, cc'ed here. Mich has attempted to escalate the request for (b)(6) release to the ICE Case Review but it was kicked back because the field office has not yet adjudicated (b)(6) previously filed *Fraihat* release request. Below and attached is detailed information Mich has prepared regarding the context and circumstances surrounding (b)(6) criminal conviction, and the positive equities in favor of (b)(6) release including his medical risk factors and his USC mother waiting to sponsor him and his relief eligibility.

Particularly given the severely heightened risk of harm (b)(6) faces as a transgender person in ICE custody, we are grateful for any support you can provide in ensuring his release is promptly considered.

Best and thanks,
Heidi

From: Mich Gonzalez (b)(6) @splcenter.org>
Sent: Friday, July 2, 2021 8:41 AM
To: ICECaseReview@ice.dhs.gov
Cc: NewOrleans.Outreach@ice.dhs.gov
Subject: Transgender Fraihat Class Member – (b)(6)

Good morning,

I represent Mr. (b)(6) a transgender man and national of the Philippines currently detained at the LaSalle ICE Processing Center. (See attached G28). **Please be advised that (b)(6) is a subclass member of the *Fraihat v. ICE* litigation due to his hypertension and severe anxiety, who was already infected with COVID-19 once while in ICE custody.**

Please review (b)(6) pending *Fraihat* release request which he filed *pro se* with the New Orleans ICE Field Office. Please also note that (b)(6) should not fall within the administration's enforcement priorities in that (1) he is not a national security risk; (2) he has resided in the United States since he was admitted as a Lawful Permanent Resident at the age of 12 on or about March 29, 2003; and (3) he does not pose a threat to public safety despite his one criminal conviction as an adult.

1. (b)(6) does not fall within the administration's public safety enforcement priority.

With respect to (b)(6) sole criminal conviction as a young adult for "persuading a minor to engage in sexual activity" and for which he has served the sentence imposed, it is instructive that the Jena Office of the Chief Counsel did not argue, in their motion to pretermitt his application for cancellation of removal for certain permanent residents, that the conviction constitutes an aggravated felony. (See attached DHS motion to pretermitt (b)(6) application for relief). It is also significant to note that in October 2014, after reaching the age of majority, the victim in his case sought legal counsel to help her lift the standing "no contact order" against (b)(6) and the Oakland County Court in Michigan granted to the motion to lift no contact order on November 26, 2014. (See attached *pro se* 42A cancellation application at pp. 87-88).

Although (b)(6) conviction on its face appears grave and justly concerning, additional context for its precursor is important to share with your office as Tim's attorney and advocate. Growing up, (b)(6) felt very isolated and unsupported with respect to his gender identity. In or about April 2009, when (b)(6) had just turned 19 years old, he began a virtual relationship with a girl he met online. He told her he was an 18-year-old-boy named (b)(6) and she told him she was 16, when in fact unbeknownst to (b)(6) she was 12 years old. They kept the virtual relationship going for 2 years, until the Summer of 2011 when (b)(6) decided they should meet (having assumed she had finally turned 18). At that time, (b)(6) revealed that he was one year older than initially shared and that he had not been born male. Concurrently, the girl revealed she also lied about her identity and was only 14 years old. Despite the upset on both sides, the two had developed strong feelings for one another over the course of the two year virtual relationship and (b)(6) made the wrongful decision to drive to meet her in November 2011, at which time they engaged in sexual conduct. (b)(6) was subsequently arrested in May 2012 and convicted on April 13, 2013, when he was 21 years old. (b)(6) seriously repents his actions and served 8 years, 3 months and 10 days of his 10-year sentence due to his good behavior.

(b)(6) does not pose a threat to public safety in that his sole conviction arose out of special circumstances during his youth outlined above, and are not a result of any inherent predisposition for violent or inappropriate behavior towards others.

- II. (b)(6) is not a flight risk as he is a longtime LPR with a pending appeal before the Board of Immigration Appeals, meritorious claims for relief and a U.S. citizen mother waiting to receive him at home in Norfolk, Virginia.

(b)(6) has a pending appeal before the Board of Immigration Appeals and a U.S. citizen mother waiting to receive him in their Norfolk, Virginia home. (See attached automated case information). In addition to his potential eligibility for cancellation of removal for certain permanent residents, (b)(6) also has a future fear of persecution in the Philippines as a transgender man.

The U.S. Department of State reports:

- "NGOs and media reported local governments used psychological abuse, including shaming, as punishment for community quarantine curfew violators. Under the torture statutes, the public parading or shaming of a person is illegal when used to undermine a person's dignity and morale. In April village officials in Pandacaqui, Pampanga, detained three members of the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community for curfew violations. The officials told the detainees to dance provocatively and kiss each other on the lips while being streamed live on Facebook." (p. 5)
- "Officials prohibit transgender individuals from obtaining passports that reflect their gender identity. Authorities print the gender at birth, as reported on the birth certificate, in the individual's passport, which posed difficulty for transgender persons seeking to travel, such as instances of transgender individuals being denied boarding on aircraft." (p. 36)
- "NGOs reported incidents of discrimination and abuse against LGBTI persons, including in employment, education, health care, housing, and social services. In June, Manila police arrested 20 Pride protesters for violating health safety protocols during the nationwide community quarantine. Some of those arrested reported they experienced discrimination while in detention." (p. 36)

See 2020 Country Reports on Human Rights Practices: Philippines, U.S. Department of State, March 2021 available at <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/philippines/>.

More recent reporting highlights the violence facing transgender persons in the Philippines:

- "At least 50 transgender or gender nonbinary individuals have been murdered across the archipelago since 2010 — but the real death toll is likely much higher."
- "'Every time I hear terrible news about my trans sisters and trans brothers and trans siblings, it breaks me to pieces,' Amber Gonzales Quiban, 25, told me late last year. 'They're just trying to be the best person that they can be and, yet, because the world is so full of prejudice and hatred, they're gone in a snap. Just like that, they're gone.'"
- "For those outside the Philippines, it can be hard to fully comprehend the everyday dangers experienced by trans women and men across its scattered islands, though they do occasionally make headlines around the world."

See “‘I’m scared every damn day’: In the Philippines, violence shadows trans lives,” Corinne Redfern, The Fuller Project, January 7, 2021, available at <https://fullerproject.org/story/im-scared-every-damn-day-in-the-philippines-violence-shadows-trans-lives/>.

III. **Conclusion**

Based on all the foregoing, I respectfully request that your office review (b)(6) custody and release him as soon as possible so that he may continue to pursue his avenues for relief in the non-detained setting from the safety of his mother’s home.

Respectfully submitted,



Mich P. Gonzalez ei/he/they
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From: Mich Gonzalez (b)(6) [redacted]@splcenter.org]
Sent: 7/19/2021 1:43:34 PM
To: Murray, Royce (b)(6) [redacted]
(b)(6) [redacted]
Subject: Re: 2 Minors Reported in NOLA ICE Custody - Winn (14 y/o Guinean (b)(6) [redacted]) & Pine Prairie (16 y/o Honduran (b)(6) [redacted])

Thank you, Royce!

Angela Kelley responded to me yesterday with the below:

Mich,

Thank you for flagging this to us yesterday and today. It was promptly brought to the attention of high level ICE officials who have been looking into the matter. I am sorry that I don't have an update this evening. Please continue to share whatever you learn and I'll be sure to keep inquiring.

Thanks again,

- Mich

On Jul 18, 2021, at 10:27 PM, Murray, Royce (b)(6) [redacted] wrote:

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Hi Mich,
I'll check in with folks about these cases tomorrow morning but please let me know if you've heard back from anyone else at DHS or ICE so I don't duplicate efforts.

Thanks.

Royce

Royce Bernstein Murray
Counselor to the Secretary
U.S. Department of Homeland Security

(b)(6) [redacted]

(c) (b)(6) [redacted]

From: Mich Gonzalez (b)(6) [redacted]@splcenter.org>

Sent: Sunday, July 18, 2021 9:31 AM

To: CULLITON-GONZALEZ, KATHERINE (b)(6) [redacted]; Correll, Donnesha

(b)(6) [redacted]; Salvano-Dunn, Dana (b)(6) [redacted]; Prokop,

Natalie (b)(6) [redacted]; THORNTON, ELIZABETH (CTR)

(b)(6) [redacted]; Trickler-McNulty, Claire (b)(6) [redacted]

(b)(6) [redacted]; Perry, Timothy C (b)(6) [redacted]; KELLEY, ANGELA

(b)(6) Murray, Royce (b)(6) KRISHNASWAMI, CHARANYA

(b)(6)
C: SIFI Louisiana (b)(6) @splcenter.org>

Subject: RE: 2 Minors Reported in NOLA ICE Custody - Winn (14 y/o Guinean (b)(6) & Pine Prairie (16 y/o Honduran - (b)(6)

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Good morning,

Since my correspondence to you on Friday afternoon, (b)(6) (the reported 14-year-old detained at Winn) called a community advocate in our post-release network. Last night, July 17, 2021, at approximately 8:30 pm CT, (b)(6) informed her that, just as occurred about a week ago when Winn officials reportedly hid him away from outside visitors by locking him in the medical unit, officers came to (b)(6)'s dorm and told him that he must go to medical to receive a call. (b)(6) told the advocate that he strongly suspected they were going to once again lock him in the medical unit to hide him from visitors and so refused and called her right away. Additionally, a Guinean man detained with (b)(6) told the advocate that he is very angry at the officers, telling her they have no right to touch this child and warning them to keep away. (b)(6) told her the officers told him that he must go to medical to speak with an immigration judge. They also reportedly threatened (b)(6), stating that if he doesn't go, an officer will stay with him all night and then drag him physically on Sunday (today) morning. Another African man detained at Winn reported to the same advocate that (b)(6) although tall, is definitely a child.

I am now in contact with (b)(6) cousin and sponsor. She is working to obtain documents that will help to corroborate (b)(6) identity. Attached is the first document she has been able to obtain — namely a photocopy of (b)(6) father's national identity document.

Please advise how we can quickly ensure that (b)(6) is released as soon as possible.

Thank you,



Mich P. Gonzalez e/h/e/they
SIFI Lead Attorney | Legal
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From: Mich Gonzalez
Sent: Friday, July 16, 2021 4:18 PM
To: CULLITON-GONZALEZ, KATHERINE (b)(6)
(b)(6) Salvano-Dunn, Dana (b)(6); Prokop, Natalie (b)(6) THORNTON, ELIZABETH (CTR) (b)(6)
(b)(6) KELLEY, ANGELA (b)(6) Murray, Royce KRISHNASWAMI, CHARANYA (b)(6)

Cc: SIFI Louisiana (b)(6)@splcenter.org>

Subject: 2 Minors Reported in NOLA ICE Custody - Winn (14 y/o Guinean (b)(6)) & Pine Prairie (16 y/o Honduran (b)(6))

Importance: High

Dear Kathy, Dana, Donnesha, Natalie, Tim, Claire, Royce, Liz, Charanya, and Angela,

Our team received two reports today of minors reportedly in the custody of the New Orleans ICE Field Office. Please see their information below. We wanted to notify you all immediately to ensure that their cases are reviewed swiftly.

1. A young man by the name of (b)(6) spoke with our team this morning from the **Winn** Correctional Center and explained that although his true name is (b)(6) and that he is a 14-year-old from Guinea, he eventually relented and gave ICE officials the name of his friend, (b)(6) because they told him his birth certificate is fake and that his name is not (b)(6). ICE officials also reportedly told him that he is too tall to be 14 years old. The A number assigned to him is (b)(6) and he states the he entered the US through Tijuana port of entry on or about April 13, 2021.
2. The father of 16-year-old (b)(6) called our team to report that his son is detained in the **Pine Prairie** ICE Processing Center even though his date of birth is (b)(6).

Thank you in advance for your assistance in quickly reviewing their cases. Please inform us of anything else we can provide or do at this time to advocate for their release.

Sincerely,

SIFI Louisiana team



Mich P. Gonzalez *si/he/they*
SIFI Lead Attorney | Legal
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T (b)(6) C (b)(6)

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Admitted in New York

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From: Mich Gonzalez (b)(6)@splcenter.org
Sent: 8/20/2021 12:12:48 PM
To: Murray, Royce (b)(6)
Subject: RE: Request for Review of Denial to Grant Parole (b)(6)

Thank you, Royce—will do.

Happy Friday,



Mich P. Gonzalez *he/him*
SIFI Lead Attorney | Legal
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From: Murray, Royce (b)(6)
Sent: Thursday, August 19, 2021 5:40 PM
To: Mich Gonzalez (b)(6)@splcenter.org
Subject: RE: Request for Review of Denial to Grant Parole (b)(6)

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Hi Mich,

Tim is best situated to follow up on your request. If you don't hear from him in the coming days, please let me know.

Thanks,

Royce

From: Mich Gonzalez (b)(6)@splcenter.org
Sent: Wednesday, August 18, 2021 3:56 PM
To: Murray, Royce (b)(6); Perry, Timothy C (b)(6); Trickler-McNulty, Claire (b)(6)
Cc: SIFI Louisiana (b)(6)@splcenter.org
Subject: FW: Request for Review of Denial to Grant Parole (b)(6)

Hi Royce, Tim, and Claire,

I hope this email finds you well. Please see the below thread regarding our client, (b)(6) who is a vulnerable, SIJS-eligible 18-year-old who has been detained for over four months. His U.S. citizen uncle and sponsor, along with his mother and siblings, are eagerly waiting to receive him at home in (b)(6) has no criminal history or prior immigration history. We respectfully request your assistance in reviewing these decisions.

Thank you in advance for your time and consideration.

Sincerely,

the SIFI Louisiana team



Mich P. Gonzalez ^{e/h/e/they}
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From: Mich Gonzalez
Sent: Tuesday, August 17, 2021 6:59 AM
To: ICECaseReview <ICECaseReview@ice.dhs.gov>; Hannah Lopez (b)(6)@spicenter.org
Cc: SIFI Louisiana (b)(6)@spicenter.org
Subject: RE: Request for Review of Denial to Grant Parole (b)(6)

Good morning,

Our client is an 18-year-old, who very recently was just a minor child, and who is being effectively prevented from pursuing Special Immigrant Juvenile Status (for which he is squarely and *prima facie* eligible) by the New Orleans ICE Field Office's decision to (1) continue his cruel, soon-to-be prolonged detention; and (2) **by failing to refer his negative credible fear determination for review by EOIR for over two months now**. This is unacceptable, particularly considering the ICE memo issued *just last week* stating:

"Applicants for and beneficiaries of victim-based immigration benefits. When a noncitizen has a pending or approved application or petition for a victim-based immigration benefit, absent exceptional circumstances, ICE will exercise discretion to defer decisions on civil immigration enforcement action against the applicant or petitioner (primary and derivative) until USCIS makes a final determination on the pending victim based immigration benefit application(s) or petition(s), including adjustment of status for noncitizens with approved Special Immigrant Juvenile status, or, in the case of a T visa, U visa, or VAWA application, until USCIS makes a negative bona fide or prima facie determination." See Section 2.1 of the memo, available [here](#).

In this case, (b)(6) is not even able to pursue SIJS from within the confines of the River Correctional Center, as the first step would be his mother filing for his guardianship before the local family court. Our client, a kind youth with no criminal history and no prior immigration history, should absolutely *not* be considered an enforcement priority for this administration. We urge you to reconsider your decision to affirm the local field office's needless, baseless, and cruel continuation of his detention which is keeping him in constant mental stress while separated from his mother and siblings after (1) recently learning that his father was murdered in Brazil and (2) grieving the death of his prior guardian—namely his aunt who died after a painful and protracted battle with cancer.

Thank you in advance for your consideration and exercise of discretion in this case.

Respectfully,
SIFI Louisiana team



Mich P. Gonzalez ^{e/h/e/they}
SIFI Lead Attorney | Legal
Southern Poverty Law Center

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From: ICECaseReview <ICECaseReview@ice.dhs.gov>
Sent: Monday, August 16, 2021 9:40 PM
To: Hannah Lopez (b)(6)@splcenter.org; ICECaseReview <ICECaseReview@ice.dhs.gov>
Cc: SIFI Louisiana (b)(6)splcenter.org
Subject: RE: Request for Review of Denial to Grant Parole (b)(6)

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Good evening Ms. Lopez,

On August 16, 2021, you contacted U.S. Immigration and Customs Enforcement (ICE) via the Enforcement and Removal Operations (ERO) Office of the ERO Senior Reviewing Official mailbox to request a case review for (b)(6) (b)(6). Based upon ERO's consideration of your inquiry, including any supplemental information provided, the prior decision of the ERO field office handling this case will remain in place.

Please note that there is no appeal of the agency's decision whether or not to exercise discretion in an individual alien's case. If you have additional questions or concerns, please contact your local field office. A list of ERO field offices and their contact information is available here: <http://www.ice.gov/contact/ero>.

Thank you for contacting ICE.

Senior Reviewing Official

From: Hannah Lopez (b)(6)@splcenter.org
Sent: Monday, August 16, 2021 6:12 PM
To: ICECaseReview <ICECaseReview@ice.dhs.gov>
Cc: SIFI Louisiana (b)(6)splcenter.org
Subject: Request for Review of Denial to Grant Parole (b)(6)

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Dear Supervisory ICE Officials,

I am writing to escalate the Notification Declining to Grant Parole for our client (b)(6) (b)(6) for further ICE Case Review.

Our team received the attached Notification from DO (b)(6),(b)(7)(C) on Friday 8/13/21, a full four weeks after our initial submission of the Release Request, also attached.

For the following reasons, we request ICE Case Review to reconsider this Declination:

- The Notification incorrectly states "On 10/03/2019, ICE conducted an initial interview with (b)(6) (b)(6)".

- (b)(6) did not enter the U.S. until April 2021, and his Credible Fear Interview was not held until July 3, 2021. The incorrect date on this Notification supports our position that the local field office did not conduct an individualized review of this Release Request and their decision to decline parole was arbitrarily made.
- The Notification states that (b)(6) has “not established to ICE’s satisfaction that [he is] not a flight risk.”
 - As a vulnerable 18-year-old who is *prima facie* eligible for Special Immigrant Juvenile Status (and as an asylum seeker currently requesting a review hearing before EOIR of the negative credible fear finding), (b)(6) who has no family or community remaining in Brazil, has no reason, personal or otherwise, to return to Brazil or to leave the U.S. He has no prior criminal history in the U.S. nor Brazil. For these reasons, it is obvious he is not a flight risk.
- The Notification states that he “did not establish, to ICE’s satisfaction, substantial ties to the community.”
 - (b)(6) has two close family members here in the U.S., both of whom are named and described in the attached original Release Request and both of whom provided signed letters of support with copies of corroborating documentation.
 - One substantial tie is his Mother, who is pursuing Lawful Permanent Residence based out of Massachusetts, where she lives with (b)(6) brothers, and where she will house and financially support him.
 - The other substantial tie is his Uncle, a longtime U.S. Citizen, who is his sponsor alongside his Mother, and who lives close by to the family.
- Further, the Notification states that “imposition of a bond or other conditions of parole would not ensure, to ICE’s satisfaction, [his] appearance at required immigration hearings pending the outcome of [his] case.”
 - Given (b)(6) significant community ties, including his long-standing USC Uncle and sponsor and his mother, both of whom have gone through immigration processes and attended numerous hearings of their own and both of whom understand the importance of appearance at each and every hearing, it is evident that he has full support and every incentive to attend his future immigration hearings and post-release appointments.

For the above reasons, it is our well-documented position that the instant determination declining to grant parole for (b)(6) is arbitrary and capricious. It is evident that the local field office did not conduct an individualized review, nor do we believe that the contents and substance of the request were reviewed to any significant extent in making said determination.

We ask that ICE Case Review Officials review this matter as soon as possible, so that (b)(6) can be reunited with his mother, uncle, and brothers and so that he can pursue SIJS status outside of the traumatizing carceral setting not suited for a non-violent youth, and so that he may enroll in his Senior Year of high school to complete his studies.

Respectfully,
SIFI Louisiana



Hannah López she/her/ella
SIFI Project Coordinator | Legal
Southern Poverty Law Center
T (b)(6)
(b)(6)@spicenter.org | www.spicenter.org

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From: Mich Gonzalez [REDACTED] [REDACTED]@splcenter.org]
Sent: 8/20/2021 6:00:34 PM
To: Murray, Royce [REDACTED] [REDACTED]
Subject: FW: Release Request for Torture Survivor [REDACTED]

FYI below.

Best,



Mich P. Gonzalez *he/him*
SIFI Lead Attorney | Legal
Southern Poverty Law Center
T [REDACTED] C [REDACTED]
[REDACTED]@splcenter.org | www.splcenter.org
Admitted in New York
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From: ICECaseReview <ICECaseReview@ice.dhs.gov>
Sent: Saturday, August 7, 2021 9:27 AM
To: Mich Gonzalez [REDACTED] [REDACTED]@splcenter.org>; ICECaseReview <ICECaseReview@ice.dhs.gov>
Cc: SIFI Louisiana [REDACTED] [REDACTED]@splcenter.org>
Subject: RE: Release Request for Torture Survivor [REDACTED]

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Good morning Mr. Gonzalez.

On August 05, 2021, you contacted U.S. Immigration and Customs Enforcement (ICE) via the Enforcement and Removal Operations (ERO) Office of the ERO Senior Reviewing Official mailbox to request a case review for [REDACTED]. [REDACTED] Based upon ERO's consideration of your inquiry, including any supplemental information provided, the prior decision of the ERO field office handling this case will remain in place.

Please note that there is no appeal of the agency's decision whether or not to exercise discretion in an individual alien's case. If you have additional questions or concerns, please contact your local field office. A list of ERO field offices and their contact information is available here: <http://www.ice.gov/contact/ero>.

Thank you for contacting ICE.

Senior Reviewing Official

From: Mich Gonzalez [REDACTED] [REDACTED]@splcenter.org>
Sent: Thursday, August 5, 2021 2:42 PM
To: ICECaseReview <ICECaseReview@ice.dhs.gov>
Cc: SIFI Louisiana [REDACTED] [REDACTED]@splcenter.org>
Subject: FW: Release Request for Torture Survivor [REDACTED]

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Dear ICE Supervisory Officers,

Please see the attached and below communicated decision from our clients' assigned deportation officer, DO Creekmore, declining parole. Please also find attached our release request on his behalf for your review and consideration.

Respectfully submitted,
SIFI Louisiana



Mich P. Gonzalez *el/ho/they*
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From: Creekmore, Jeffrey A (b)(6)
Sent: Thursday, August 5, 2021 11:36 AM
To: Mich Gonzalez (b)(6)@spicenter.org>
Subject: RE: Release Request for Torture Survivor - (b)(6)

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Please see attached...

Thank you

From: Mich Gonzalez (b)(6)@spicenter.org>
Sent: Monday, August 2, 2021 4:46 PM
To: Creekmore, Jeffrey A (b)(6); Hodges, Quincy R (b)(6)
Ward, Charles G (b)(6); Witte, Diane L (b)(6)
Cc: SIFI Louisiana (b)(6)@spicenter.org>
Subject: Release Request for Torture Survivor - (b)(6)

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Dear Officers Creekmore,

Please find attached request for release on humanitarian parole on behalf of our client, (b)(6) (b)(6), a torture survivor and asylum seeker from the Democratic Republic of Congo currently detained at the Winn Correctional facility.

Respectfully submitted,

SIFI Louisiana team



Mich P. Gonzalez [e/h/he/they](#)
SIFI Lead Attorney | Legal
Southern Poverty Law Center

T [\(b\)\(6\)](#) C [\(b\)\(6\)](#)

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OVERSIGHT PROTECTS YOUR GOVERNMENT

From: Mich Gonzalez (b)(6) [redacted]@splcenter.org]
Sent: 8/24/2021 10:07:18 PM
To: Murray, Royce (b)(6) [redacted]
(b)(6) [redacted]
Subject: Re: Request for Review of Denial to Grant Parole - (b)(6) [redacted]

Thank you, Royce!

- Mich

On Aug 24, 2021, at 6:01 PM, Murray, Royce (b)(6) [redacted] wrote:

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Hi Mich,
I am following up on both of these cases and will let you know when I learn more.
Thanks,
Royce

From: Mich Gonzalez (b)(6) [redacted]@splcenter.org>
Sent: Monday, August 23, 2021 7:35 PM
To: Murray, Royce (b)(6) [redacted]
Subject: RE: Request for Review of Denial to Grant Parole - (b)(6) [redacted]
(b)(6) [redacted]

Hi Royce,

Following up on this case because we haven't heard back from Tim. Also taking this opportunity to share the below information for a different young man who was wrongfully deported by the New Orleans ICE Field Office on July 21, 2021. Attached you'll find email correspondence between myself and the Houston Asylum Office confirming that the local ICE field office never referred him for a credible fear interview during his month-long detention.

Case Info: (b)(6) [redacted] (20-year-old Honduran)
Summary: Despite raising fear of return numerous times, NOLA ICE never referred (b)(6) [redacted] for a credible fear interview. (See attached correspondence). In fact, officials at the Pine Prairie facility in Louisiana where he was detained kept him in solitary confinement for 4.5 days leading up to his deportation flight, in order to prevent him from fighting his removal/as punishment for his refusal to comply with deportation. During that time, officials only slid two sandwiches into his cell each day and never let him out to shower or breathe fresh air or call his father (who lives in Tennessee) until the night before his deportation flight. Since his removal to Honduras, I have had an opportunity to speak with (b)(6) [redacted] at length via Whatsapp.

In addition to learning that he is a very sweet young man, I was able to learn more about his asylum claim. It turns out he is somewhat famous in Honduras for his mastery in bee farming/bee keeping. See [here](#), [here](#) and [here](#). His passion for the environment and notoriety working with bees in Tomalá, Lempira, Honduras got the attention of a Spanish organization that offered him a special grant involving at least one million lempiras (42k US dollars or more) for a project involving the preservation of bees.

Yet, the local government—including the mayor of the municipality—kept all the funding and distributed it amongst themselves—including to well-connected friends such as the spouse of one of the government officials. (b)(6) did not receive any of the money. He threatened to go public with this information and his life was thereafter in danger.

Specifically he received death threats including from local gangs presumably paid off by the municipality. (Still working out the details as his phone access/quality wasn't great). They also threatened to harm his family and he ended up not going public with the information out of fear because he became a father (b)(6) is 20 years old and his son is 15 months old) (b)(6) is now in hiding in his mother's home. I attached two short voice notes from him talking about his love and knowledge of bees, which he sent to me via whatsapp.

Key Questions:

1. Are you able to tell me on what grounds (b)(6) was removed? Was he just subjected to expedited removal or was he technically expelled pursuant to Title 42? I've been working under the assumption that it is the former, since my understanding is that the expulsions usually happen right after apprehension at the border and not after transfer to ICE custody in the interior and lengthy detention.
2. Immediately after his removal I notified Dana Salvano-Dunn of DHS CRCL about what happened in (b)(6) case (he was deported to Honduras on 7/21, I notified Dana of what happened on 7/22) and provided more details to her colleague, Nicole Gamble, in the following days. Nicole told me she sent a request to ICE headquarters for assistance in seeking his safe return. Unfortunately, every week since I follow up and Nicole simply responds that they haven't heard back and that she'll reach out when they do. In the meantime, (b)(6) is still hiding in fear and desperate to return. Can you confirm whether there is a request being considered to assist him?

Thanks, as always, for your assistance,



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From: Murray, Royce (b)(6)
Sent: Thursday, August 19, 2021 5:40 PM
To: Mich Gonzalez (b)(6) @splcenter.org>
Subject: RE: Request for Review of Denial to Grant Parole (b)(6)
(b)(6)

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Hi Mich,
Tim is best situated to follow up on your request. If you don't hear from him in the coming days, please let me know.

Thanks,
Royce

From: Mich Gonzalez <(b)(6)@splcenter.org>

Sent: Wednesday, August 18, 2021 3:56 PM

To: Murray, Royce <(b)(6)>; Perry, Timothy G <(b)(6)>

Trickler-McNulty, Claire <(b)(6)>

Cc: SIFI Louisiana <(b)(6)@splcenter.org>

Subject: FW: Request for Review of Denial to Grant Parole - <(b)(6)>

(b)(6)

Hi Royce, Tim, and Claire,

I hope this email finds you well. Please see the below thread regarding our client, (b)(6), who is a vulnerable, SIJS-eligible 18-year-old who has been detained for over four months. His U.S. citizen uncle and sponsor, along with his mother and siblings, are eagerly waiting to receive him at home in Massachusetts. (b)(6) has no criminal history or prior immigration history. We respectfully request your assistance in reviewing these decisions.

Thank you in advance for your time and consideration.

Sincerely,

the SIFI Louisiana team



Mich P. Gonzalez *el/le/they*
SIFI Lead Attorney | Legal
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From: Mich Gonzalez

Sent: Tuesday, August 17, 2021 6:59 AM

To: ICECaseReview <(b)(6)>; Hannah Lopez <(b)(6)>

Cc: SIFI Louisiana <(b)(6)@splcenter.org>

Subject: RE: Request for Review of Denial to Grant Parole - <(b)(6)>

(b)(6)

Good morning,

Our client is an 18-year-old, who very recently was just a minor child, and who is being effectively prevented from pursuing Special Immigrant Juvenile Status (for which he is squarely and *prima facie* eligible) by the New Orleans ICE Field Office's decision to (1) continue his cruel, soon-to-be prolonged detention; and (2) by failing to refer his negative credible fear determination for review by EOIR for over two months now. This is unacceptable, particularly considering the ICE memo issued just last week stating:

"Applicants for and beneficiaries of victim-based immigration benefits. When a noncitizen has a pending or approved application or petition for a victim-based immigration benefit, absent exceptional circumstances, ICE will exercise discretion to defer decisions on civil immigration enforcement action against the applicant or petitioner (primary and derivative) until USCIS makes a final determination on the pending victim based immigration benefit application(s) or petition(s), including adjustment of status for noncitizens with approved Special Immigrant Juvenile status, or, in the case of a T visa, U visa, or VAWA application, until USCIS makes a negative bona fide or prima facie determination." See Section 2.1 of the memo, available [here](#).

In this case, (b)(6) is not even able to pursue SIJS from within the confines of the River Correctional Center, as the first step would be his mother filing for his guardianship before the local family court. Our client, a kind youth with no criminal history and no prior immigration history, should absolutely *not* be considered an enforcement priority for this administration. We urge you to reconsider your decision to affirm the local field office's needless, baseless, and cruel continuation of his detention which is keeping him in constant mental stress while separated from his mother and siblings after (1) recently learning that his father was murdered in Brazil and (2) grieving the death of his prior guardian—namely his aunt who died after a painful and protracted battle with cancer.

Thank you in advance for your consideration and exercise of discretion in this case.

Respectfully,
SIFI Louisiana team



Mich P. Gonzalez *él/lo/they*
SIFI Lead Attorney | Legal
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From: ICECaseReview (b)(6)
Sent: Monday, August 16, 2021 9:40 PM
To: Hannah Lopez (b)(6) @spicenter.org; ICECaseReview (b)(6)
Cc: SIFI Louisiana (b)(6) spicenter.org
Subject: RE: Request for Review of Denial to Grant Parole (b)(6)
(b)(6)

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Good evening Ms. Lopez,

On August 16, 2021, you contacted U.S. Immigration and Customs Enforcement (ICE) via the Enforcement and Removal Operations (ERO) Office of the ERO Senior Reviewing Official mailbox to request a case review for (b)(6). Based upon ERO's consideration of your inquiry, including any supplemental information provided, the prior decision of the ERO field office handling this case will remain in place.

Please note that there is no appeal of the agency's decision whether or not to exercise discretion in an individual alien's case. If you have additional questions or concerns, please contact your local field office. A list of ERO field offices and their contact information is available here: <http://www.ice.gov/contact/ero>.

Thank you for contacting ICE.

Senior Reviewing Official

From: Hannah Lopez (b)(6)@spicenter.org>

Sent: Monday, August 16, 2021 6:12 PM

To: ICECaseReview (b)(6)

Cc: SIFI Louisiana (b)(6)@spicenter.org>

Subject: Request for Review of Denial to Grant Parole - (b)(6)
(b)(6)

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Dear Supervisory ICE Officials,

I am writing to escalate the Notification Declining to Grant Parole for our client (b)(6) (b)(6) for further ICE Case Review.

Our team received the attached Notification from DO (b)(6),(b)(7)(C) on Friday 8/13/21, a full four weeks after our initial submission of the Release Request, also attached.

For the following reasons, we request ICE Case Review to reconsider this Declination:

- The Notification incorrectly states "On 10/03/2019, ICE conducted an initial interview with (b)(6) (b)(6) (b)(6) did not enter the U.S. until April 2021, and his Credible Fear Interview was not held until July 3, 2021. The incorrect date on this Notification supports our position that the local field office did not conduct an individualized review of this Release Request and their decision to decline parole was arbitrarily made.
- The Notification states that (b)(6) has "not established to ICE's satisfaction that [he is] not a flight risk."
 - As a vulnerable 18-year-old who is *prima facie* eligible for Special Immigrant Juvenile Status (and as an asylum seeker currently requesting a review hearing before EOIR of the negative credible fear finding), (b)(6) who has no family or community remaining in Brazil, has no reason, personal or otherwise, to return to Brazil or to leave the U.S. He has no prior criminal history in the U.S. nor Brazil. For these reasons, it is obvious he is not a flight risk.
- The Notification states that he "did not establish, to ICE's satisfaction, substantial ties to the community."
 - (b)(6) has two close family members here in the U.S., both of whom are named and described in the attached original Release Request and both of whom provided signed letters of support with copies of corroborating documentation.
 - One substantial tie is his Mother, who is pursuing Lawful Permanent Residence based out of Massachusetts, where she lives with (b)(6) brothers, and where she will house and financially support him.

- The other substantial tie is his Uncle, a longtime U.S. Citizen, who is his sponsor alongside his Mother, and who lives close by to the family.
- Further, the Notification states that “imposition of a bond or other conditions of parole would not ensure, to ICE’s satisfaction, [his] appearance at required immigration hearings pending the outcome of [his] case.”
 - Given: (b)(6) significant community ties, including his long-standing USC Uncle and sponsor and his mother, both of whom have gone through immigration processes and attended numerous hearings of their own and both of whom understand the importance of appearance at each and every hearing, it is evident that he has full support and every incentive to attend his future immigration hearings and post-release appointments.

For the above reasons, it is our well-documented position that the instant determination declining to grant parole for (b)(6) is arbitrary and capricious. It is evident that the local field office did not conduct an individualized review, nor do we believe that the contents and substance of the request were reviewed to any significant extent in making said determination.

We ask that ICE Case Review Officials review this matter as soon as possible, so that (b)(6) (b)(6) can be reunited with his mother, uncle, and brothers and so that he can pursue SIJS status outside of the traumatizing carceral setting not suited for a non-violent youth, and so that he may enroll in his Senior Year of high school to complete his studies.

Respectfully,
SIFI Louisiana



Hannah López she/her/ella
SIFI Project Coordinator | Legal
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From: KELLEY, ANGELA (b)(6)
(b)(6)
Sent: 9/3/2021 1:04:45 AM
To: Mich Gonzalez (b)(6); Perry, Timothy C (b)(6);
(b)(6); Murray, Royce
(b)(6); Trickler-McNulty,
Claire (b)(6)
(b)(6)
CC: SIFI Louisiana (b)(6)
Subject: RE: Request for Exercise of Discretion in 3 Cases

Mich, Thank you for sharing this email.

We defer to the ICE personnel on this email to respond.

Thank you!

Angie

*Angela Maria Kelley
Senior Immigration Counselor
Office of the Secretary
Department of Homeland Security*

From: Mich Gonzalez (b)(6)@splcenter.org>
Sent: Thursday, September 2, 2021 1:27 PM
To: Perry, Timothy C (b)(6); Murray, Royce (b)(6); Trickler-McNulty,
Claire (b)(6); KELLEY, ANGELA (b)(6)
Cc: SIFI Louisiana (b)(6)@splcenter.org>
Subject: RE: Request for Exercise of Discretion in 3 Cases

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Dear Angela, Royce, Tim and Claire,

I write to you with an update and urgent request regarding our client (b)(6) (case #2 below) who has been in ICE custody for over two years. Namely, we have been notified by (b)(6) that he has been transferred to Florence, AZ to facilitate his removal. However, we never received any decision from the local field office in response to our release request filed on (b)(6) behalf on August 19, 2021 (attached for your review). Additionally, (b)(6) BIA appeal was only dismissed in May of this year and he has a volunteer currently working on a meritorious motion to reopen and potential petition for review in his case. Moreover, given the humanitarian crisis (ongoing civil war and near-genocidal violence against Anglophone Cameroonians) as well as the egregious discriminatory violence faced by African asylum seekers in ICE custody in this region over the last two years (recently highlighted here: <https://www.google.com/amp/s/truthout.org/articles/caught-in-hell-complaint-shows-horrors-inflicted-on-african-asylum-seekers/%3famp>), we respectfully request for you to intervene on (b)(6) behalf and allow him to safely be released to his longtime family friend and U.S. citizen sponsor (b)(6) residing at (b)(6) while he continues to pursue his petition for review.

Sincerely,
SIFI Louisiana team



Mich P. Gonzalez @he/they
 Associate Director of SIFI Advocacy
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From: Mich Gonzalez

Sent: Monday, August 30, 2021 12:33 PM

To: (b)(6) Murray, Royce (b)(6) Trickler-McNulty, Claire (b)(6)

(b)(6)

Cc: SIFI Louisiana (b)(6)@splcenter.org>

Subject: Request for Exercise of Discretion in 3 Cases

Dear Tim, Claire, and Royce:

If any of you have loved ones in the Gulf Coast area, I hope they're safe and sound. Our team had to evacuate New Orleans and are hunkering down to see how and when we may be able to return. In the meantime, I respectfully request intervention, at your earliest convenience and discretion, in the below cases.

1. (b)(6) – **Mentally ill longtime LPR with 1 non-violent conviction & USC toddler battling cancer – Request to Rescind Detainer**

- (b)(6) is a longtime Lawful Permanent Resident, who entered the U.S. as an A-1 visa derivative when he was just six years old. (b)(6) father was a diplomat from Nigeria who was eventually removed after abusing (b)(6) mother and being found guilty of domestic violence. Thereafter, (b)(6) lived with his single mother and two siblings in poverty and instability, moving from shelter to shelter. (b)(6) struggled throughout his childhood, with a learning disability and mood issues that were never properly diagnosed. He found solace in basketball and became a star athlete, however his mental health issues persisted, resulting in his playing college basketball for five different educational institutions. Things worsened when he became a young father and his newborn son, (b)(6) was diagnosed with stomach cancer. It is also important to note that but for poverty, (b)(6) would have long ago become a U.S. citizen—either as a derivative under his mother or had he been able to afford the fees when he petitioned to naturalize in 2017. Sadly, (b)(6) mental illness deteriorated as did his financial situation, which led to his first major arrest at the age of 24 for robbing a convenience store while in possession of a “bb” pellet gun, which he did not even own and did not use in commission of the crime (the pellet gun was holstered to his pants and no one was injured). (b)(6) was finally evaluated by a psychologist who found he suffers from bipolar I disorder with psychotic features, post-traumatic stress disorder, depression and anxiety. Unfortunately, the damage of his conviction had already been done, a detainer by ICE issued in his case and his removal proceedings initiated while he served his criminal sentence. However, now (b)(6) has access to counsel and the well of resources from the Southern Poverty Law Center to support him in rehabilitating his life and caring for his toddler son who has survived cancer, but continues to require close care and monitoring. We are pursuing deferral of removal under the Convention Against Torture (the IJ denied this application on 8/24, but we feel very strongly about the merits of (b)(6) appeal, which we are thoroughly preparing) for (b)(6) as well as post-conviction relief in his case, with the hopes of helping him retain his green card. (b)(6) has a place to live, a job to work and access to quality mental healthcare should he be released on an order of supervision after he finishes serving his sentence at the Sumter Correctional Facility in October. Please exercise your discretion and rescind the detainer in his case so that he may be released on an order of supervision as we continue to fight his removal for the coming years and do not deprive

his young son of a father as he prepares to enter grade school. Attached you will find documents corroborating the facts laid out in this summary.

2. (b)(6) – Asylum Seeker 2+ years detained by ICE, currently in LaSalle Jena

- (b)(6) is a Cameroonian asylum seeker currently detained in the LaSalle ICE Processing Center in Jena, Louisiana. He entered the United States as an Arriving Alien on October 7, 2019 and has been in ICE detention since that date. During the initial months of his detention, multiple parole requests submitted by his prior attorney were ignored or denied, despite the fact that he received a positive credible fear determination and met all the qualifications for parole in ICE's 2009 Parole Directive. He is also not an enforcement priority based on ICE's Interim Guidance on Civil Immigration Enforcement and Removal Priorities. He has a U.S. Citizen sponsor waiting to receive him and has now been in ICE detention for **nearly two years**. We submitted a release request for him on August 19 and have not received a response, despite following up with the local field office.

3. (b)(6) Transgender Man detained at LaSalle Jena

- (b)(6) is a Mexican national and transgender man who arrived in the United States in 1992 as a four-year-old child with his mother, (b)(6) who crossed the border undocumented with him and his siblings. His mother chose to come to the U.S. from Michoacán to escape the violence of the cartels in the area, but more so to escape the violence in their own home from his father. His father has substance use disorder, namely alcohol and drugs of various kinds, and is involved heavily in the cartels of the area. His father would frequently physically and mentally abuse his mother, would beat her and rape her regularly. His older siblings advocated and encouraged their mother to leave their father, warning her that "he is going to kill you." She secretly saved up some money and escaped the home with her children while he was gone.
- Years later, (b)(6) uncle who lived in the U.S. visited Mexico and was killed there. No one knows why he was killed, but they are aware of a connection to the same cartel (b)(6) father operated in. (b)(6) sister-in-law and (b)(6) brother-in-law, both on separate occasions visited Mexico and both were kidnapped and murdered (b)(6) has seen a pattern of close family members travelling to Mexico and being targeted and murdered soon after their arrival. Meanwhile, Irene did everything she could, working multiple jobs, to put food on the table and support her children. Eventually she saved enough money to secure a visa and later married a man who assisted with the Lawful Permanent Residence process for (b)(6) and his older brother. At the age of 16, he obtained LPR status. Shortly after, the man Irene married began exhibiting the same abusive qualities as (b)(6) father. With the encouragement of her children, she was able to leave him so as not to repeat the same story.
- From 2008 through 2015, (b)(6) showed himself to be a go-getter in every sense of the word. He was going to school at University of Texas, double majoring in marketing and graphic design. Due to financial aid issues, (b)(6) was unable to complete his degrees at UT. He then went to school for and received a Medical Assistant Diploma. He began working at an arthritis clinic as a medical assistant, later at a sleep apnea testing center. He also dabbled in work with a real estate company to diversify his resume. During these years, he fearlessly navigated education and work towards the goal of a safe and self-supporting life. He filed taxes every year during this period as well. (b)(6) shares that he has always felt that his work should be in the service of others, as he would want someone to be there for him, as well.
- (b)(6) mother's health sharply declined over the years. She had a hysterectomy and multiple tumors and heart surgeries while he was in middle school and high school. Currently, she suffers from diabetes, hypertension, arthritis, and has broken both of her legs which now have metal in them making her mobility very limited. (b)(6) knew from a young age, then presenting as female, that he liked girls. He was fearful to share this with his mother, who he has such a close relationship with. He was scared to disappoint her or drive them apart. Near his high school graduation, he shared his sexuality with his mother. Her response was acceptance and loving. She said "if this makes you happy, it makes me happy. I want you to do with your life what makes you fulfilled."
- (b)(6) goes on to explain that "it's one thing to say you're gay, but I didn't quite feel complete." He mentions growing up with his brother, he was always more excited to shop for his brother's clothes and wanted haircuts like his brother. He would cry and have panic attacks when asked to wear dresses to formal events. He dreamed of having a beard and mustache one day. Growing and learning more about himself and his gender identity, he began to self-isolate from his family. He didn't know how to

conceptualize of his gender identity, nor how to share those feelings with his mother and siblings. He felt very lonely and wasn't sure what the internal struggle he was experiencing was about.

- In early 2015, (b)(6) learned of very public coming out stories of transgender celebrities. Seeing this, (b)(6) began his research into transgender individuals and began to realize this was something that felt right for him, something he could and wanted to do. He spoke with his aunt, who is a doctor, went to see a psychologist and officially decided to transition at that time. "I would feel more comfortable if I looked like a man." Even though he experienced the euphoria of naming his discomfort and beginning the process of transition, he still felt immensely lonely and isolated from his family. He feared disappointing his mother, and because of that fear, isolated himself from her and his siblings. "It was a very hard process." Around this time, he acquired a two-bedroom apartment, a car, and a good job. He found a roommate – an ex of his sister – who would prove to be very supportive and encouraging of (b)(6) transition. "I finally found someone that was supportive of my transition, that doesn't see me as weird or crazy and I trusted and opened up to him. I looked at him like my big brother." This roommate, (b)(6) however, was involved in illegal dealings of drugs. (b)(6) was unaware of the illegal activity happening in his residence. He trusted Efrain given the great deal of support he received emotionally and because he relied on the rent and bill payments from him, as well. Efrain would borrow (b)(6) car to complete drug deals and would use (b)(6) bank account to deposit money from those deals for rent and utilities. At the time, (b)(6) had no idea about the concept of Conspiracy. Efrain would attempt to keep his life separate from (b)(6) however, in late 2015 (b)(6) was charged with Conspiracy to Money Laundry and Conspiracy with Intent to Distribute. Efrain received federal charges, as well, but (b)(6) is unaware as to those charges or where Efrain is currently.
- (b)(6) was sentenced to 7 years in prison and served 5 years and 9 months in Aliceville, Alabama. He shares that, at first, he was very angry with (b)(6) and himself, but the past almost 7 years has provided experiences that (b)(6) is grateful to learn from. He has grown as a person, become humbler. He was able to take carpentry classes in prison as well as college courses on Hotel and Restaurant management and intends to pursue that field upon release. "It's hard to explain, but my mindset has changed a lot and I'm at this point where I honestly think everything happens for a reason." (b)(6) LPR status reached it's 10-year renewal limit while he was incarcerated in Alabama.
- Upon his release from the Aliceville, Alabama prison in July of 2021, (b)(6) was immediately detained and transferred to LaSalle Jena and remains at Jena today. (b)(6) is a transgender man. He has been presenting and living as male for many years. He carries masculine features, such as facial hair and a deepened voice, which immediately identify him as male to others. He reports that upon his arrival, he was kept in solitary while the officials "figured out" what to do with him. During the initial weeks of his detention, he was held in solitary confinement and only let out for a few moments, to shower and use the phone. He pleaded to be taken out of solitary as he did not want to be alone for his entire time at LaSalle. He reminded the officers he is not in solitary for disciplinary action, but rather because they had yet to have their meeting on where to place him. He ultimately was put in the women's wing "for his safety," as he was told.
- Since being placed in the women's wing, (b)(6) faces discrimination and verbal abuse regularly. Every time he is taken to the medical wing, the men outside for recreation from the men's wing will yell profanities at him. The officers at LaSalle frequently disrespect him, do not use his correct pronouns, and make comments such as "How many of them are here?" "If they were real men, they'd be with the men's wing." His bunk is searched frequently, and he is pat searched frequently. At the time of our initial legal phone call with (b)(6) no more than two weeks since his initial detention at LaSalle, the pat searches had occurred at least five times. One officer in particular, (b)(6), (b)(7)(C) frequently stares (b)(6) down, watching his every move through the dorm. If he goes to use the restroom, she follows him there. He noticed that she only does this with him, and no other person detained with him. (b)(6) has had to self-regulate his shower time and bathroom time, to not be in the facilities when anyone else is around. He does this to protect himself, to avoid the possibility that someone would "point fingers" at him for misconduct towards the women detained with him. He reports that he tries to sleep all day to avoid having to deal with the possibility of being framed for abusing others, due to his gender identity. (b)(6) is immensely fearful to be deported to Mexico. Because of his arrival as a very young child in the United States, he has no family, friends, or community in Mexico to return to. He has no safety nets or

connections in Mexico. Being transgender is another cause for fear of deportation. His identity documents all reflect his gender as female, while his facial hair and deepened voice reflect otherwise. (b)(6) fears if he is deported that cartels will try to recruit him and upon notice of his being transgender, would rape, torture, and kill him.

- He also fears that if he is deported to Mexico, that he will end up murdered and disappeared like his other family members before him or that his father would try to get in touch with him. He states that even though he hasn't been in his father's life, that the news of his child being transgender would result in violence from his father. After his mother fled Mexico, his father continued to reach out to her and repeatedly threatened her life if she returned. (b)(6) fears and knows the threat extends to him. Most recently, (b)(6) shared, "I know I made a mistake and I've learned from it and grown as a person. I don't want to get involved in those things or with those kinds of people again. I want to go back to school, finish college and get my Bachelor's degree. I want to be with my mom. She's really sick and stresses out a lot. I want to show her she can still say she's proud of me."

Well wishes,

Mich on behalf of the SIFI Louisiana team



Mich P. Gonzalez ^{he/him}
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From: Mich Gonzalez [REDACTED]@splcenter.org]
Sent: 9/22/2021 12:53:24 PM
To: Perry, Timothy C [REDACTED]
CC: KELLEY, ANGELA [REDACTED]
[REDACTED] Murray, Royce
[REDACTED] Trickler-McNulty,
Claire [REDACTED]
Subject: Re: Second Supplemental Request for Release [REDACTED]

Good morning,

Thank you for the update about the decision. We will inform the family.

Much appreciation,

- Mich and the SIFI team

On Sep 21, 2021, at 7:57 PM, Perry, Timothy C [REDACTED] wrote:

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Career officials have informed me that they have decided to release this individual consistent with applicable law and policy.

From: Mich Gonzalez [REDACTED]@splcenter.org>
Sent: Tuesday, September 21, 2021 11:36 AM
To: Perry, Timothy C [REDACTED]; KELLEY, ANGELA [REDACTED]
Murray, Royce [REDACTED]; Trickler-McNulty, Claire [REDACTED]
[REDACTED]
Cc: SIFI Louisiana [REDACTED]@splcenter.org>
Subject: FW: Second Supplemental Request for Release [REDACTED]
Importance: High

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Dear Tim, Angela, Royce and Claire,

We urgently request review regarding the case of 18-year-old [REDACTED] who is prima facie eligible for Special Immigrant Juvenile Status and whose U.S. Citizen uncle is ready willing to receive him at home in Massachusetts. Please do not allow [REDACTED] to be removed when he should not be a priority for this administration and when he has viable relief from removal. [REDACTED] appears to be slated for deportation to Brazil this Thursday and as you can see from the below thread, the New Orleans ICE Field Office has refused to consider his most recent request for discretionary, humanitarian release from detention (attached). Please advise as soon as you can.

Thank you,

The SIFI Louisiana team



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From: Mich Gonzalez

Sent: Tuesday, September 14, 2021 4:12 PM

To: (b)(6),(b)(7)(C); Hannah Lopez (b)(6)@spicenter.org; Hagan, Robert G (b)(6)

Cc: SIFI Louisiana (b)(6)@spicenter.org

Subject: RE: Second Supplemental Request for Release (b)(6)

Importance: High

Thank you for your response.

Respectfully, (b)(6),(b)(7)(C) despite his wrongful expedited removal order, (b)(6) is an 18-year-old who remains eligible for Special Immigrant Juvenile Status and we are not requesting that he be explicitly released on parole, **but rather released under your authority under conditions your office deem fit.** For example, you could release him on an order of supervision, as was done in an exactly similarly situated case (another young man who was wrongfully denied credible fear but released on OSUP to the care of his mother to pursue his meritorious SIJS case in New York). Here, (b)(6) has his mother and his US citizen uncle waiting to receive him in Massachusetts and have already found attorneys to proceed with his SIJS case, at which point he would be able to move to rescind the removal order.

Therefore, we respectfully request that you please review the attached release request, which includes supplemental documentation not included in his prior custody redetermination request.

Thank you,



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From: (b)(6),(b)(7)(C)
Sent: Tuesday, September 14, 2021 4:08 PM
To: Hannah Lopez (b)(6) @spicenter.org; Hagan, Robert G (b)(6)
Cc: SIFI Louisiana (b)(6) @spicenter.org
Subject: RE: Second Supplemental Request for Release (b)(6)

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Received, Your client currently has a final order with a neg CF review he is not parole eligible.

From: Hannah Lopez (b)(6) @spicenter.org
Sent: Tuesday, September 14, 2021 2:37 PM
To: Hagan, Robert G (b)(6) (b)(6),(b)(7)(C)
Cc: SIFI Louisiana (b)(6) @spicenter.org
Subject: Second Supplemental Request for Release (b)(6)

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact ICE SOC SPAM with questions or concerns.

Dear Officers,

Attached please find a Second Supplemental Request for Custody Redetermination for our client (b)(6) (b)(6) is an 18-year-old Brazilian asylum and SIJS seeker currently detained at River Correctional Center.

This request has been supplemented with additional facts regarding (b)(6) credible fear as well as case history information.

(b)(6) mother, (b)(6), who is pursuing Lawful Permanent Residence, and (b)(6) a longtime U.S. Citizen, are his sponsors (b)(6) (b)(6) will reside with his mother at (b)(6) where his uncle lives nearby. They are eagerly awaiting his release (b)(6) have sworn to provide housing and any other needs for (b)(6) upon his release and to ensure he attends any and all future hearings or ICE appointments. (b)(6) can be reached (b)(6) can be reached at (b)(6)

Please confirm receipt of this request.

Respectfully submitted,
SIFI Louisiana Team



Hannah López she/her/ella
SIFI Project Coordinator | Legal
Southern Poverty Law Center
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OVERSIGHT PROJECT
IT'S YOUR GOVERNMENT

From: Mich Gonzalez (b)(6)@splcenter.org
Sent: 10/14/2021 2:55:12 PM
To: Murray, Royce (b)(6)
(b)(6)
Subject: RE: Update Re: (b)(6)

Couldn't be happier to share it. Thank you.



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From: Murray, Royce (b)(6)
Sent: Thursday, October 14, 2021 9:54 AM
To: Mich Gonzalez (b)(6)@splcenter.org>
Subject: RE: Update Re: (b)(6)

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Thanks for that update, Mich.
Take care,
Royce

From: Mich Gonzalez (b)(6)@splcenter.org>
Sent: Thursday, October 14, 2021 10:50 AM
To: Trickler-McNulty, Claire (b)(6); Perry, Timothy C (b)(6)
KELLEY, ANGELA (b)(6); Murray, Royce (b)(6)
Subject: Update Re: (b)(6)

Good afternoon all,

I just wanted to share that (b)(6) extensive family and supportive community, including Senator Van Hollen's office, is beyond relieved and grateful that the ICE field office made the decision to imminently release (b)(6) on an order of supervision.

Sincerely,



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From: Mich Gonzalez

Sent: Wednesday, October 13, 2021 1:54 PM

To: Trickler-McNulty, Claire (b)(6); Perry, Timothy C (b)(6)

KELLEY, ANGELA (b)(6) Murray, Royce (b)(6)

Subject: FW: Jacksonville ICE Failure to Conduct Timely, Individualized Review for Fraihat / NOT Priority (b)(6)

Importance: High

Good afternoon, Tim, Claire, Royce and Angela,

I am writing to elevate this case to your attention. It implicates a vulnerable mentally ill client and father to a US citizen toddler in recent remission from stomach cancer. Attached for your consideration is his release request. Below is the thread of communication to the ICE Case Review.

Thank you in advance for your consideration.

Sincerely,



Mich P. González *she/they*
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From: Mich Gonzalez

Sent: Wednesday, October 13, 2021 1:53 PM

To: 'ICECaseReview' <ICECaseReview@ice.dhs.gov>

Subject: RE: Jacksonville ICE Failure to Conduct Timely, Individualized Review for Fraihat / NOT Priority (b)(6)

Importance: High

Good afternoon,

I am writing to follow up on this case. It has been **twelve days since I filed the initial release request and five days** since your office asked the local field office to make a determination. To date, we only have their emails confirming a negative decision. As you know, the standing injunction order in *Fraihat* requires review within this time frame. I also want to raise serious concerns with the inept and inadequate medical staff at the Baker County Sheriff's Office facility where my client is held. I had a detailed conversation with the clinician there, (b)(6) who admitted to having possession of (b)(6) medical records, confirming his diagnoses of depression, anxiety, PTSD and bipolar disorder with psychotic features with documentation as recent as just three months ago, but stating that she would not take any of these documents or medial history into account but rather make an on the spot assessment of my client who she has seen for no more than one hour since he was transferred to that facility. She admitted this to me freely by telephone.

It is terribly urgent that your office review this case. This man is mentally ill and the conditions of his confinement are worsening the situation. In stark contrast, outside of detention he has extensive US citizen family and a team of fantastic medical providers ready to treat him and support him as he continues to pursue his immigration case. This man is not a public safety risk nor a flight risk. Please consider my request and thank you in advance for your consideration.

Sincerely,



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From: ICECaseReview <ICECaseReview@ice.dhs.gov>
Sent: Friday, October 8, 2021 9:29 AM
To: Mich Gonzalez (b)(6)@spicenter.org>
Subject: RE: Jacksonville ICE Failure to Conduct Timely, Individualized Review for Fraihat / NOT Priority (b)(6)

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Good Morning Sir

Let me clarify the email below. We have requested that the Field make a determination on the Fraihat issue by having a medical evaluation completed. When that is complete they will respond again to your inquiry below and if they again determine to have (b)(6) needs to remain in custody you can reach out to the ICR for case review. At that time we can complete a review of both Fraihat and the priority issues.

Thank you

From: Mich Gonzalez (b)(6)@spicenter.org>
Sent: Friday, October 8, 2021 7:36 AM
To: ICECaseReview <ICECaseReview@ice.dhs.gov>
Subject: RE: Jacksonville ICE Failure to Conduct Timely, Individualized Review for Fraihat / NOT Priority (b)(6)

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Good morning,

Thank you for your response, but as you'll see in the attached correspondence, not only did the local field office review my request for release, but both **Officer (b)(6),(b)(7)(C) (my client's assigned DO) and his supervisory officer, (b)(6),(b)(7)(C)** expressly denied the request by email, stating a determination had been made, and referring to my client as an "aggravated felon" without further review or discussion of the many meritorious and mitigating factors I raised in the supporting evidence (attached again for your review).

Please, I respectfully request that career officials in your office review my client's case as the local field office has clearly demonstrated it will not conduct an individualized and thorough review of his equities which plainly establish he is not an enforcement priority and that he is a *Fraihat* subclass member.

Sincerely,



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From: ICECaseReview <ICECaseReview@ice.dhs.gov>

Sent: Friday, October 8, 2021 8:22 AM

To: Mich Gonzalez (b)(6)@spicenter.org

Subject: RE: Jacksonville ICE Failure to Conduct Timely, Individualized Review for Fraihat / NOT Priority (b)(6)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

On 10/7/21, you contacted U.S. Immigration and Customs Enforcement (ICE) via the Enforcement and Removal Operations (ERO) ICE Case Review (ICR) mailbox and inquired to request a case review for the noncitizen below. This case does not meet the solely intended case review criteria as this person is not in ICE custody; is not in the custody of a local/state/federal law enforcement agency, with an ICE detainer or hold in place; nor, is this case subject to a final order of removal who has been ordered by ICE to report for removal or depart the U.S. by a specific date. **Or, this case has not been reviewed by the local ERO Field Office for an initial review.**

The Field Office advised they are having a medical evaluation completed and will respond to your inquiry below when they are completed.

No case review will be conducted by ICR at this time. If you have additional questions or concerns, please contact your local field office. A list of ERO field offices and their contact information is available here:

<http://www.ice.gov/contact/ero>.

Thank you for contacting ICE.

From: Mich Gonzalez (b)(6)@spicenter.org

Sent: Thursday, October 7, 2021 6:33 AM

To: ICECaseReview <ICECaseReview@ice.dhs.gov>

Subject: Jacksonville ICE Failure to Conduct Timely, Individualized Review for Fraihat / NOT Priority (b)(6)

Importance: High

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Good morning,

I hereby urgently raise a sensitive case to your attention where the local ICE field office has failed to make an individualized review of my client's meritorious release request based on the fact that he is a *Fraihat* subclass member and should not be considered a priority for enforcement pursuant to the September 30th memo (which we know will not technically go into effect until November 29th but should still be instructive as to the administration's priorities).

- On October 1, 2021, I submitted the **attached** release request to the assigned deportation officer (DO) of my client (b)(6) and the DO's supervisors.
- On October 6, 2021, both the DO and his supervisor, responded, demonstrating that despite being in their custody for over a week, my client was not assessed as a *Fraihat* subclass member and they did not make an individualized review of his case nor did they appear to read the attached request, since their decision was based solely on the fact that (b)(6) has a single conviction that constitutes an aggravated felony—a fact that is (1) being actively challenged by a pending post-conviction motion and (2) does not alone automatically mean that my client should be considered a threat to public safety and is fully mitigated by extensive evidence provided in the request. **See attached correspondence thread corroborating this summary.**

In the attached release request you will find:

1. A five-page cover letter;
2. An executed G-28; and
3. Supporting Exhibits A-H.

Important factors for ICE's consideration in (b)(6) custody redetermination request are as follows:

1. (b)(6) is a *Fraihat* subclass member due to his several, well-documented, **mental health disorders** (including severe anxiety, depression, PTSD and bipolar disorder with psychotic features);
2. (b)(6) is a **longtime Lawful Permanent Resident** who entered the United States lawfully as a diplomat derivative at the tender age of 6 on May 4, 2000;
3. (b)(6) has compelling, meritorious claims for relief, including a pending **Post-Conviction Relief Motion and an appeal** before the Board of Immigration Appeals;
4. Mr. Ibeh has strong, extensive ties in the United States, including his **U.S. citizen fiancée and sponsor** waiting to welcome him home at (b)(6) his U.S. citizen mother (b)(6), his U.S. citizen sister, (b)(6) U.S. citizen brother (b)(6) **U.S. citizen toddler son, (b)(6) who is recently in remission from stomach cancer**, and (b)(6) U.S. citizen mother, (b)(6)
5. (b)(6) sole criminal conviction for robbery with a pellet "bb" gun, for which he has completed his sentence without incident, (and fully rehabilitated while accessing mental healthcare), does not make him a threat to public safety because:
 - a. no one was harmed in the commission of his sole crime;

At interval 49:10 of (b)(6) confession video footage, Bradford County Detective (b)(6) said: "nobody got hurt ... everyone could walk away and resume their lives." At interval 49:17, Detective (b)(6) explained that the people working at the store were the "calmest victims I'd ever talked to ... I mean they weren't even really shaken up" *Id.*

As stressed in (b)(6) pending Post-Conviction Relief (PCR) Motion, during (b)(6) sentencing hearing, Judge Mosely who presided over his criminal case, stated, "I believe you should be in this country. ... **You're a son of this country as far as I'm concerned.** You should pay the penalty that is prescribed by law like any other American should and then from that go on and build your life. **I hope you can still become a citizen.** That'd still be my desire for you, and you can build a life. ... **I think it would be a grave mistake to send you to Nigeria as their problem. You don't belong there. You belong here.** And I do expect – it is my expectation that you will come out, you'll complete your

probation, and you will be a good citizen after that. And that it'll be worthwhile to have you here in this country; that you will do things that will make amends and that you will build a life that your family is proud of. That's my expectation." See EXHIBIT G, Filed PCR Motion at p. 4.

- b. the crime was demonstrably unsophisticated in nature (EXHIBITS F-G); and
- c. (b)(6) has no serious prior criminal record.

Please ensure that (b)(6) receives a fair review so that he may be reunited with his U.S. citizen family, because he demonstrably does not present a threat to public safety, has many factors that compel a positive exercise of discretion, and so he can obtain the care he needs.

Thank you in advance for your time, work and consideration.

Sincerely,

Counsel for (b)(6)



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From: Mich Gonzalez (b)(6)@splcenter.org
Sent: 9/15/2021 8:00:23 PM
To: Perry, Timothy C (b)(6); Murray, Royce
(b)(6); Trickler-McNulty, Claire (b)(6); KELLE, ANGELA
(b)(6)
CC: SIFI Louisiana (b)(6)
Subject: RE: Request for Exercise of Discretion in 5 Cases

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Good afternoon,

Just wanted to provide brief updates regarding the below cases.

- (b)(6) - case # 6 below), was released yesterday evening.
- (b)(6) - case # 5 below) established credible fear this morning at his IJ review hearing.
- (b)(6) - case # 2 below) appears to remain in ICE custody in Arizona and was not placed on removal flight today.

Thank you again for your time and consideration,



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From: Mich Gonzalez

Sent: Tuesday, September 14, 2021 4:29 PM

To: (b)(6) Murray, Royce (b)(6) Trickler-McNulty, Claire (b)(6)
(b)(6) KELLE, ANGELA (b)(6)

Cc: SIFI Louisiana (b)(6)@splcenter.org

Subject: RE: Request for Exercise of Discretion in 3 Cases

Importance: High

Good afternoon, Angela, Tim, Royce and Claire:

We hope this message finds you all well! We are writing with updates in four cases we've previously brought to your attention (#s 1-4), as well as raising two new ones (#5-6), below.

(b)(6) – Mentally ill *Fraihat* subclass member & longtime LPR with 1 non-violent conviction & USC toddler son battling cancer – Request to Rescind Detainer / Release on OSUP upon successful completion of criminal sentence on October 9, 2021

- (b)(6) is a longtime Lawful Permanent Resident, who entered the U.S. as an A-1 visa derivative when he was just six years old. (b)(6) father was a diplomat from Nigeria who was eventually removed after abusing (b)(6) mother and being found guilty of domestic violence. In another similarly situated case, (in fact somewhat less compelling because the Respondent had an old removal order in place, whereas (b)(6) has a strong, meritorious appeal and at least two forms of relief from removal), (b)(6) who is also a *Fraihat* subclass member was released immediately on an order of supervision, rather than transferred to ICE detention, upon completion of her criminal sentence. (b)(6) was a longtime LPR with one non-violent criminal conviction. Since that time, she has fully complied with her order of supervision resulting in the removal of her ankle monitor and she has been reunited with her longtime intimate partner. In the interests of justice and fairness please ensure that ICE exercise the same discretion in (b)(6) case as it did in (b)(6) case.

2. (b)(6) – Release Post-Quarantine (Ensure local field office does not put on removal flight tomorrow)

- As discussed after last correspondence, DHS officials have decided that (b)(6) is someone who should be released (after having spent 2+ years detained). We understand he is still subject to quarantine before his release, but he and his family are very concerned because no officer has informed them that he will be released and he is told there will be an African removal flight tomorrow. Please ensure that the local field office is very clear on the fact that (b)(6) is to be released after he completes the requisite COVID-19 quarantine and testing.

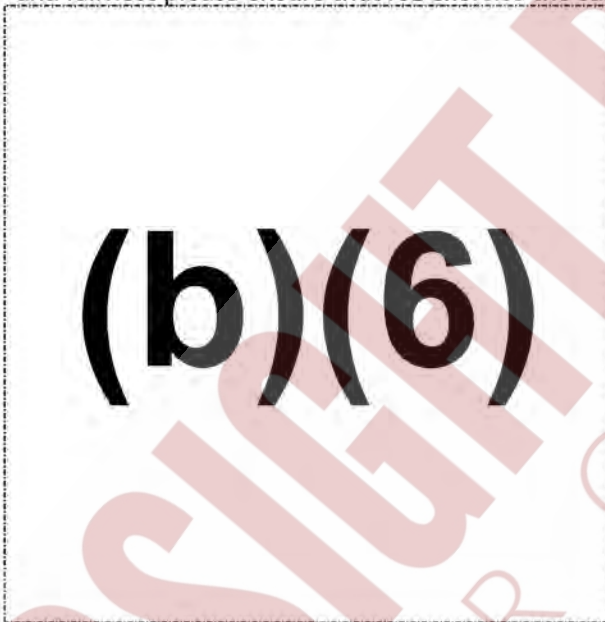
3. (b)(6) – Release Request for Transgender Man detained at LaSalle Jena

- (b)(6) is a Mexican national and transgender man who arrived in the United States in 1992 as a four-year-old child with his mother, (b)(6) who is increasingly ill and in need of his assistance. (b)(6) is case is eerily similar to the case of our previous client, (b)(6) (b)(6) in that (1) they are transgender men improperly detained by ICE; (2) who have one non-violent conviction with compelling, extraordinary mitigating personal circumstances; and (3) a lawfully residing parent in desperate need of their assistance at home; and (4) a viable claim for relief that would benefit from extra time to seek counsel outside of detention. In the case of (b)(6) you exercised discretion and the results have been just and humanitarian. (b)(6) is not only reunited with his 70-year-old mom in Virginia, but he has found counsel to represent him in his meritorious appeal before the Board of Immigration Appeals and has been diligently compliant with his conditions of release. Here's (b)(6) with his mom. In the interests of justice and fairness please ensure that ICE exercise the same discretion in (b)(6) case as it did in (b)(6) case.

(b)(6)

4. (b)(6) Release Request for 18-year-old eligible for Special Immigrant Juvenile Status with USC uncle and counsel waiting to receive him in Massachusetts to pursue his claim (no criminal history/prior immigration history)

- (b)(6) is an 18-year-old SIJS eligible asylum seeker from Brazil who should be released into the care of his lawfully residing family in Massachusetts and whose case will be handled by attorneys already secured to pursue his SIJS claim. Today, we submitted a 38-page supplemented release request on (b)(6) behalf documenting these facts as well as the extended community waiting to receive (b)(6) (see attached request). In response, his assigned Deportation Officer (b)(6),(b)(7)(C) responded "Received, Your client currently has a final order with a neg CF review he is not parole eligible," despite the fact that even a cursory glance at the heading of our request clearly requests his release under several statutory authority provided to ICE, including release on order of supervision. (See attached PDF of this email correspondence.)
- (b)(6) case is in the exact same procedural posture as our prior client, (b)(6) (b)(6), whom ICE released in the humanitarian exercise of its discretion. In fact, in this case (b)(6) is even younger than (b)(6) was at the time of his detention by ICE and (b)(6) has a U.S. citizen uncle eagerly waiting to sponsor him in Massachusetts. Thanks to the just decision to release him, (b)(6) was reunited with his mother and siblings (see below photo), has diligently complied with his OSUP in New York and has already completed the first step in his meritorious SIJS case. In the interests of justice and fairness please ensure that ICE exercise the same discretion in (b)(6) case as it did in (b)(6) case.



5. (b)(6) –*Fraihat* Subclass Member & Gay Asylum Seeker (no criminal or prior immigration history)

- (b)(6) is a gay asylum seeker from Brazil and a *Fraihat* subclass member. The local field office has simply failed to render a decision on (b)(6) strong release request for over a month (see attached request filed on August 13th). Moreover, they have not responded to any of the various emails we have sent them following up on the status of the request. On Thursday September 9, 2021 we escalated it to the ICE Case Review email. Still no decision or response.

6. (b)(6) – Release Credible Gay Senegalese Asylum Seeker (No criminal history or prior immigration history)

- (b)(6) is a credible, gay asylum seeker from Senegal who has been deprived of due process because no one speaks to him in his native Wolof and who remains detained at the Richwood facility despite the fact that ICE informed him early *last week* that he would soon be processed for release. Per their standard procedure, his Deportation Officer expressly asked him to confirm his sponsor's address and have \$300 in commissary account to cover release expenses. At the end of last week, we as his counsel, wrote to the local ICE officers that Louisiana AID (a local community-based

organization well known to them) were ready, willing and able to facilitate transportation for (b)(6) so that he could be reunited with his sponsor and uncle at (b)(6). (b)(6) Yet, ICE has not responded to any of our messages or returned any of our calls. (b)(6) eagerly awaits his release as assured by the local field office. Please ensure they follow through with their assurances to him.

Thank you in advance for your time and consideration.

Best wishes,

SIFI Louisiana team



Mich P. Gonzalez *el/le/they*
Associate Director of SIFI Advocacy | Legal
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From: Mich Gonzalez

Sent: Thursday, September 2, 2021 1:27 PM

To: (b)(6) Murray, Royce (b)(6) Trickler-McNulty, Claire (b)(6)
(b)(6) KELLEY, ANGELA (b)(6)

Cc: SIFI Louisiana (b)(6)@spicenter.org

Subject: RE: Request for Exercise of Discretion in 3 Cases

Dear Angela, Royce, Tim and Claire,

I write to you with an update and urgent request regarding our client (b)(6) (case #2 below) who has been in ICE custody for over two years. Namely, we have been notified by (b)(6) that he has been transferred to Florence, AZ to facilitate his removal. However, we never received any decision from the local field office in response to our release request filed on (b)(6) behalf on August 19, 2021 (attached for your review). Additionally, (b)(6) BIA appeal was only dismissed in May of this year and he has a volunteer currently working on a meritorious motion to reopen and potential petition for review in his case. Moreover, given the humanitarian crisis (ongoing civil war and near-genocidal violence against Anglophone Cameroonians) as well as the egregious discriminatory violence faced by African asylum seekers in ICE custody in this region over the last two years (recently highlighted here: <https://www.google.com/amp/s/truthout.org/articles/caught-in-hell-complaint-shows-horrors-inflicted-on-african-asylum-seekers/%3famp>), we respectfully request for you to intervene on (b)(6) behalf and allow him to safely be released to his longtime family friend and U.S. citizen sponsor (b)(6) residing at (b)(6) while he continues to pursue his petition for review.

Sincerely,
SIFI Louisiana team



Mich P. Gonzalez *el/le/they*
Associate Director of SIFI Advocacy
Southern Poverty Law Center
C (b)(6)
(b)(6)@spicenter.org | www.spicenter.org

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From: Mich Gonzalez

Sent: Monday, August 30, 2021 12:33 PM

To: (b)(6); Murray, Royce (b)(6); Trickler-McNulty, Claire (b)(6)
(b)(6)

Cc: SIFI Louisiana (b)(6) @spicenter.org>

Subject: Request for Exercise of Discretion in 3 Cases

Dear Tim, Claire, and Royce:

If any of you have loved ones in the Gulf Coast area, I hope they're safe and sound. Our team had to evacuate New Orleans and are hunkering down to see how and when we may be able to return. In the meantime, I respectfully request intervention, at your earliest convenience and discretion, in the below cases.

1. (b)(6) – **Mentally ill longtime LPR with 1 non-violent conviction & USC toddler battling cancer – Request to Rescind Detainer**
 - (b)(6) is a longtime Lawful Permanent Resident, who entered the U.S. as an A-1 visa derivative when he was just six years old. (b)(6) father was a diplomat from Nigeria who was eventually removed after abusing (b)(6) mother and being found guilty of domestic violence. Thereafter, (b)(6) lived with his single mother and two siblings in poverty and instability, moving from shelter to shelter. (b)(6) struggled throughout his childhood, with a learning disability and mood issues that were never properly diagnosed. He found solace in basketball and became a star athlete, however his mental health issues persisted, resulting in his playing college basketball for five different educational institutions. Things worsened when he became a young father and his newborn son (b)(6) was diagnosed with stomach cancer. It is also important to note that but for poverty (b)(6) would have long ago become a U.S. citizen—either as a derivative under his mother or had he been able to afford the fees when he petitioned to naturalize in 2017. Sadly, (b)(6) mental illness deteriorated as did his financial situation, which led to his first major arrest at the age of 24 for robbing a convenience store while in possession of a “bb” pellet gun, which he did not even own and did not use in commission of the crime (the pellet gun was holstered to his pants and no one was injured). (b)(6) was finally evaluated by a psychologist who found he suffers from bipolar I disorder with psychotic features, post-traumatic stress disorder, depression and anxiety. Unfortunately, the damage of his conviction had already been done, a detainer by ICE issued in his case and his removal proceedings initiated while he served his criminal sentence. However, now (b)(6) has access to counsel and the well of resources from the Southern Poverty Law Center to support him in rehabilitating his life and caring for his toddler son who has survived cancer, but continues to require close care and monitoring. We are pursuing deferral of removal under the Convention Against Torture (the IJ denied this application on 8/24, but we feel very strongly about the merits of (b)(6) appeal, which we are thoroughly preparing) for (b)(6) (b)(6) as well as post-conviction relief in his case, with the hopes of helping him retain his green card. (b)(6) has a place to live, a job to work and access to quality mental healthcare should he be released on an order of supervision after he finishes serving his sentence at the Sumter Correctional Facility in October. Please exercise your discretion and rescind the detainer in his case so that he may be released on an order of supervision as we continue to fight his removal for the coming years and do not deprive his young son of a father as he prepares to enter grade school. Attached you will find documents corroborating the facts laid out in this summary.
2. (b)(6) – **Asylum Seeker 2+ years detained by ICE, currently in LaSalle Jena**

- (b)(6) is a Cameroonian asylum seeker currently detained in the LaSalle ICE Processing Center in Jena, Louisiana. He entered the United States as an Arriving Alien on October 7, 2019 and has been in ICE detention since that date. During the initial months of his detention, multiple parole requests submitted by his prior attorney were ignored or denied, despite the fact that he received a positive credible fear determination and met all the qualifications for parole in ICE's 2009 Parole Directive. He is also not an enforcement priority based on ICE's Interim Guidance on Civil Immigration Enforcement and Removal Priorities. He has a U.S. Citizen sponsor waiting to receive him and has now been in ICE detention for **nearly two years**. We submitted a release request for him on August 19 and have not received a response, despite following up with the local field office.

3. (b)(6) **Transgender Man detained at LaSalle Jena**

- (b)(6) is a Mexican national and transgender man who arrived in the United States in 1992 as a four-year-old child with his mother, (b)(6) who crossed the border undocumented with him and his siblings. His mother chose to come to the U.S. from Michoacán to escape the violence of the cartels in the area, but more so to escape the violence in their own home from his father. His father has substance use disorder, namely alcohol and drugs of various kinds, and is involved heavily in the cartels of the area. His father would frequently physically and mentally abuse his mother, would beat her and rape her regularly. His older siblings advocated and encouraged their mother to leave their father, warning her that "he is going to kill you." She secretly saved up some money and escaped the home with her children while he was gone.
- Years later, (b)(6) uncle who lived in the U.S. visited Mexico and was killed there. No one knows why he was killed, but they are aware of a connection to the same cartel (b)(6) father operated in. (b)(6) sister-in-law and (b)(6) brother-in-law, both on separate occasions visited Mexico and both were kidnapped and murdered. (b)(6) has seen a pattern of close family members travelling to Mexico and being targeted and murdered soon after their arrival. Meanwhile, Irene did everything she could, working multiple jobs, to put food on the table and support her children. Eventually she saved enough money to secure a visa and later married a man who assisted with the Lawful Permanent Residence process for (b)(6) and his older brother. At the age of 16, he obtained LPR status. Shortly after, the man (b)(6) married began exhibiting the same abusive qualities as (b)(6) father. With the encouragement of her children, she was able to leave him so as not to repeat the same story.
- From 2008 through 2015, (b)(6) showed himself to be a go-getter in every sense of the word. He was going to school at University of Texas, double majoring in marketing and graphic design. Due to financial aid issues, (b)(6) was unable to complete his degrees at UT. He then went to school for and received a Medical Assistant Diploma. He began working at an arthritis clinic as a medical assistant, later at a sleep apnea testing center. He also dabbled in work with a real estate company to diversify his resume. During these years, he fearlessly navigated education and work towards the goal of a safe and self-supporting life. He filed taxes every year during this period as well. (b)(6) shares that he has always felt that his work should be in the service of others, as he would want someone to be there for him, as well.
- (b)(6) mother's health sharply declined over the years. She had a hysterectomy and multiple tumors and heart surgeries while he was in middle school and high school. Currently, she suffers from diabetes, hypertension, arthritis, and has broken both of her legs which now have metal in them making her mobility very limited. (b)(6) knew from a young age, then presenting as female, that he liked girls. He was fearful to share this with his mother, who he has such a close relationship with. He was scared to disappoint her or drive them apart. Near his high school graduation, he shared his sexuality with his mother. Her response was acceptance and loving. She said "if this makes you happy, it makes me happy. I want you to do with your life what makes you fulfilled."
- (b)(6) goes on to explain that "it's one thing to say you're gay, but I didn't quite feel complete." He mentions growing up with his brother, he was always more excited to shop for his brother's clothes and wanted haircuts like his brother. He would cry and have panic attacks when asked to wear dresses to formal events. He dreamed of having a beard and mustache one day. Growing and learning more about himself and his gender identity, he began to self-isolate from his family. He didn't know how to conceptualize of his gender identity, nor how to share those feelings with his mother and siblings. He felt very lonely and wasn't sure what the internal struggle he was experiencing was about.

- In early 2015, (b)(6) learned of very public coming out stories of transgender celebrities. Seeing this, (b)(6) began his research into transgender individuals and began to realize this was something that felt right for him, something he could and wanted to do. He spoke with his aunt, who is a doctor, went to see a psychologist and officially decided to transition at that time. "I would feel more comfortable if I looked like a man." Even though he experienced the euphoria of naming his discomfort and beginning the process of transition, he still felt immensely lonely and isolated from his family. He feared disappointing his mother, and because of that fear, isolated himself from her and his siblings. "It was a very hard process." Around this time, he acquired a two-bedroom apartment, a car, and a good job. He found a roommate – an ex of his sister – who would prove to be very supportive and encouraging of (b)(6) transition. "I finally found someone that was supportive of my transition, that doesn't see me as weird or crazy and I trusted and opened up to him. I looked at him like my big brother." This roommate, (b)(6) (b)(6) however, was involved in illegal dealings of drugs. (b)(6) was unaware of the illegal activity happening in his residence. He trusted (b)(6) given the great deal of support he received emotionally and because he relied on the rent and bill payments from him, as well. (b)(6) would borrow (b)(6) car to complete drug deals and would use (b)(6) bank account to deposit money from those deals for rent and utilities. At the time, (b)(6) had no idea about the concept of Conspiracy. Efrain would attempt to keep his life separate from (b)(6) however, in late 2015 (b)(6) was charged with Conspiracy to Money Laundry and Conspiracy with Intent to Distribute. (b)(6) received federal charges, as well, but (b)(6) is unaware as to those charges or where Efrain is currently.
- (b)(6) was sentenced to 7 years in prison and served 5 years and 9 months in Aliceville, Alabama. He shares that, at first, he was very angry with (b)(6) and himself, but the past almost 7 years has provided experiences that (b)(6) is grateful to learn from. He has grown as a person, become humbler. He was able to take carpentry classes in prison as well as college courses on Hotel and Restaurant management and intends to pursue that field upon release. "It's hard to explain, but my mindset has changed a lot and I'm at this point where I honestly think everything happens for a reason." (b)(6) LPR status reached it's 10-year renewal limit while he was incarcerated in Alabama.
- Upon his release from the Aliceville, Alabama prison in July of 2021, (b)(6) was immediately detained and transferred to LaSalle Jena and remains at Jena today. (b)(6) is a transgender man. He has been presenting and living as male for many years. He carries masculine features, such as facial hair and a deepened voice, which immediately identify him as male to others. He reports that upon his arrival, he was kept in solitary while the officials "figured out" what to do with him. During the initial weeks of his detention, he was held in solitary confinement and only let out for a few moments, to shower and use the phone. He pleaded to be taken out of solitary as he did not want to be alone for his entire time at LaSalle. He reminded the officers he is not in solitary for disciplinary action, but rather because they had yet to have their meeting on where to place him. He ultimately was put in the women's wing "for his safety," as he was told.
- Since being placed in the women's wing, (b)(6) faces discrimination and verbal abuse regularly. Every time he is taken to the medical wing, the men outside for recreation from the men's wing will yell profanities at him. The officers at LaSalle frequently disrespect him, do not use his correct pronouns, and make comments such as "How many of them are here?" "If they were real men, they'd be with the men's wing." His bunk is searched frequently, and he is pat searched frequently. At the time of our initial legal phone call with (b)(6) no more than two weeks since his initial detention at LaSalle, the pat searches had occurred at least five times. One officer in particular, (b)(6),(b)(7)(C) frequently stares (b)(6) down, watching his every move through the dorm. If he goes to use the restroom, she follows him there. He noticed that she only does this with him, and no other person detained with him. (b)(6) has had to self-regulate his shower time and bathroom time, to not be in the facilities when anyone else is around. He does this to protect himself, to avoid the possibility that someone would "point fingers" at him for misconduct towards the women detained with him. He reports that he tries to sleep all day to avoid having to deal with the possibility of being framed for abusing others, due to his gender identity. (b)(6) is immensely fearful to be deported to Mexico. Because of his arrival as a very young child in the United States, he has no family, friends, or community in Mexico to return to. He has no safety nets or connections in Mexico. Being transgender is another cause for fear of deportation. His identity documents all reflect his gender as female, while his facial hair and deepened voice reflect otherwise.

(b)(6) fears if he is deported that cartels will try to recruit him and upon notice of his being transgender, would rape, torture, and kill him.

- He also fears that if he is deported to Mexico, that he will end up murdered and disappeared like his other family members before him or that his father would try to get in touch with him. He states that even though he hasn't been in his father's life, that the news of his child being transgender would result in violence from his father. After his mother fled Mexico, his father continued to reach out to her and repeatedly threatened her life if she returned. (b)(6) fears and knows the threat extends to him. Most recently, (b)(6) shared, "I know I made a mistake and I've learned from it and grown as a person. I don't want to get involved in those things or with those kinds of people again. I want to go back to school, finish college and get my Bachelor's degree. I want to be with my mom. She's really sick and stresses out a lot. I want to show her she can still say she's proud of me."

Well wishes,

Mich on behalf of the SIFI Louisiana team



Mich P. Gonzalez [e/h/e/they](#)
SIFI Lead Attorney | Legal
Southern Poverty Law Center

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From: KELLEY, ANGELA (b)(6)
(b)(6)
Sent: 11/9/2021 2:21:08 AM
To: Murray, Royce (b)(6)
(b)(6)
Subject: RE: NOLA ICE - Vulnerable People - Not Enforcement Priorities

No, will do now. NOLA=Nightmare.

*Angela Maria Kelley
Senior Immigration Counselor
Office of the Secretary
Department of Homeland Security*

From: Murray, Royce (b)(6)
Sent: Monday, November 8, 2021 6:09 PM
To: KELLEY, ANGELA (b)(6)
Subject: FW: NOLA ICE - Vulnerable People - Not Enforcement Priorities
Importance: High

Have you connected with ICE about this?

From: Mich Gonzalez (b)(6) @splcenter.org>
Sent: Friday, November 5, 2021 3:56 PM
To: KELLEY, ANGELA (b)(6); Trickler-McNulty, Claire (b)(6);
Salvano-Dunn, Dana (b)(6); Correll, Donnesha (b)(6); Murray,
Royce (b)(6); Perry, Timothy C (b)(6)
Cc: SIFI Louisiana (b)(6) @splcenter.org>
Subject: NOLA ICE - Vulnerable People - Not Enforcement Priorities
Importance: High

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

Good afternoon, Angie, Claire, Dana, Donnesha, Royce, and Tim,

We understand that the “vulnerable populations” guidance has not yet been finalized or published, but we wanted to elevate the below five cases to your attention immediately. Not only do they each fit the categories laid out in the soon to be finalized guidance, but they are all individuals who should be immediately released from ICE custody because they do not fall within the administration’s priorities for enforcement.

1. Black Mauritanian survivor of slavery with no criminal history or prior immigration history – (b)(6) **Richwood Correctional, LA:** (b)(6) is a credible asylum seeker with no factors in his case to support any finding of flight risk, danger or security risk, yet the New Orleans ICE Field Office (NOLA ICE) has ignored his request for release on parole for nearly 30 days. This is tantamount to abuse in light of the fact that he is a survivor of slavery who is experiencing PTSD symptoms triggered by the conditions of his confinement. (b)(6) release request, which boasts letters of support from his lawfully residing cousin and a US citizen sponsor, was escalated to the attention of ICE Case Review at the top of this week, but it was simply flagged to the local field office. Neither he nor our team have received a single response from NOLA ICE. (See attached Exh. 1).

2. Mexican transgender man with no history of violence enduring transphobic mistreatment and sexual assault - [redacted (b)(6)]; **Lasalle Jena, LA:** [redacted (b)(6)] is a young transgender man who was brought to the US when he was just four years old. [redacted (b)(6)] is experiencing serious sexual harassment, assault and transphobic mistreatment in detention. As he is a survivor of sexual abuse, the conditions of his confinement are triggering deep psychological distress. Moreover, [redacted (b)(6)] should not be one non-violent conviction with compelling, extraordinary mitigating personal circumstances; and (3) a lawfully residing parent in desperate need of their assistance at home; and (4) a viable claim for relief that would benefit from extra time to seek counsel outside of detention. In the case of [redacted (b)(6)] you exercised discretion and the results have been just and humanitarian.
3. Brazilian asylum seeker with partly amputated foot, severe umbilical hernia, swollen liver and asthma - [redacted (b)(6)]; **River Correctional, LA:** [redacted (b)(6)] is a credible asylum seeker with several, acute medical conditions and nothing in his case or history that warrants a finding of flight risk, danger to the community or security risk. [redacted (b)(6)] has no criminal history or prior immigration history and his release request boasts 120 pages of evidence including sponsor documents and medical records. Yet NOLA ICE refuses to consider his release and his health is deteriorating exponentially in detention as a result. (See attached Exh. 3—please note that the request exhibits were too large to include but they can be forwarded upon request).
4. Eritrean torture survivor with no criminal history or prior immigration history - [redacted (b)(6)]; [redacted (b)(6)]; **Richwood Correctional, LA:** [redacted (b)(6)] was tortured in Eritrea because his father is a known political prisoner. As a torture survivor, he is experiencing depression and PTSD symptoms triggered by the conditions of his confinement. [redacted (b)(6)] has no criminal history or prior immigration history and his release request boasts over 80 pages of evidence including documents corroborating his identity, sponsor documents and evidence of his asylum claim. Yet NOLA ICE refuses to consider his release and his mental health is deteriorating exponentially in detention as a result. (See attached Exh. 4—please note that the request exhibits were too large to include but they can be forwarded upon request).
5. 16-year-old Nicaraguan youth with no criminal history or prior immigration history in solitary confinement 12 days and counting [redacted (b)(6)]; **Pine Prairie, LA:** NOLE ICE is refusing to consider releasing [redacted (b)(6)] on the sole basis that they believe him to be 18 years old. NOLA ICE has not cited to any evidence to support this belief nor to any other rationale for keeping him not only in unlawful adult custody, but punitive solitary confinement with nothing but a bible to read. [redacted (b)(6)] was ripped from his mother by abusive authorities who coerced her into signing documents agreeing he is 18 when in fact he is a 16 year old minor. Moreover, [redacted (b)(6)] counsel has submitted extensive evidence corroborating his correct age. This is actionable, let alone morally reprehensible, behavior that must cease. [redacted (b)(6)] counsel has informed NOLA ICE that the family is ready to seek legal action and go to the media about this abuse. (See Exh. 5 attached).

Please do all that is in your power to raise these cases to the attention of career officials so that these individuals are expeditiously released as vulnerable people who should not be considered priorities for enforcement by this administration.

Sincerely,

SIFI Louisiana team



Mich P. González *she/he/they*
Associate Director of SIFI Advocacy | Legal
Southern Poverty Law Center
T [redacted (b)(6)]

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IT'S YOUR GOVERNMENT
OVERSIGHT PROJECT

From: Houser, Jason P (b)(6)
Sent: 3/29/2022 11:25:52 AM
To: KELLEY, ANGELA (b)(6)
CC: Trickler-McNulty, Claire (b)(6); Murray, Royce (b)(6)
Subject: RE: Fraihat Release (b)(6)

ICE continues to make custody determinations on a case-by-case basis, in accordance with U.S. law and Department of Homeland Security (DHS) policy. In 2021, DHS updated the civil enforcement priorities and issued superseding guidance to the ICE workforce. Subsequently, ICE developed the ICE Case Review (ICR) process for individuals who believe their case did not align with the DHS enforcement, detention, and removal priorities.

The ICR process continues to offer another channel through which noncitizens and their representatives can request ICE exercise its prosecutorial discretion on a particular noncitizen's behalf, and resolve questions and concerns consistent with law, policy, and the interests of justice. ICE created an email address ICEcasereview@ice.dhs.gov managed by a designated ICE Enforcement and Removal Operations (ERO) Senior Reviewing Official (SRO) and their staff.

Individuals requesting a case review should contact their local ERO field office for initial consideration. Requests to the SRO in which the ERO field office did not consider the case initially are returned to the requestor with an advisal that the field office continues to maintain initial decision making.

More information regarding the ICR process can be found here: <https://www.ice.gov/ICEcasereview>.

Jason P Houser
(Acting) Chief of Staff
Immigration & Customs Enforcement (ICE)

(b)(6) (HSDN)
(b)(6) (Cell)
(b)(6) (Office)

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From: KELLEY, ANGELA (b)(6)
Sent: Tuesday, March 29, 2022 7:18 AM
To: Houser, Jason P (b)(6)
Cc: Trickler-McNulty, Claire (b)(6); Murray, Royce (b)(6)
Subject: Re: Fraihat Release (b)(6)

Jason, Good morning and thanks for the quick reply. Please do share that language when you have a minute. I don't believe we've seen it.

Thank you

Angie

Angela Maria Kelley
Senior Immigration Counselor
Department of Homeland Security

(b)(6)

From: Houser, Jason P (b)(6)

Sent: Tuesday, March 29, 2022 7:07 AM

To: KELLEY, ANGELA

Cc: Trickler-McNulty, Claire; Murray, Royce

Subject: FW: Fraihat Release (b)(6)

Thanks Angie.

We will review. We have language now that we provided any group or individual that requires about a particular case since the discussions with OGC and ethics.

I

Jason P Houser
(Acting) Chief of Staff
Immigration & Customs Enforcement (ICE)

(b)(6)

(HSDN)

(b)(6)

(Cell)
(Office)

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From: KELLEY, ANGELA (b)(6)

Sent: Monday, March 28, 2022 8:53 PM

To: Houser, Jason P (b)(6)

Subject: FW: Fraihat Release (b)(6)

Importance: High

Jason, I hope this email finds you well. Claire has probably already shared this case w/you. It seems quite compelling and time sensitive and I wanted to be sure you were made aware.

Best,

Angie

Angela Maria Kelley
Senior Immigration Counselor
Office of the Secretary
Department of Homeland Security

From: Mich Gonzalez <(b)(6)@splcenter.org>

Sent: Monday, March 28, 2022 10:56 AM

To: KELLEY, ANGELA <(b)(6)>; Murray, Royce <(b)(6)>; Trickler-McNulty, Claire <(b)(6)>

Cc: SIFI Louisiana <(b)(6)@splcenter.org>

Subject: Fraihat Release <(b)(6)>

Importance: High

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

Good morning, Angie, Royce, and Claire,

We write concern our client <(b)(6)> because she is increasingly at risk of dying at the LaSalle detention facility in Jena, Louisiana. She is battling a resurgence of ovarian cancer after already experiencing surgical complications, the side effects of which are causing her daily excruciating pain. Below is a timeline of her case's procedural posture. At her most recent hospital visit with a surgeon specialist, she was given a girdle out of grave concern for a hole that is growing such that her intestines may fall out, causing sepsis. This appointment took place on March 15th and during that same visit, the specialist advised that she needs surgery right away, but that recovery will not be easy and require sensitive, long-term post-operative care that she cannot access at the detention center. Additionally, potentially cancerous nodes have been detected on her bones.

- August 2021 <(b)(6)> transferred to LaSalle from Alabama after serving her sentence, for her sole non-violent conviction, after living in the US for about twenty years.
- October 29, 2021 <(b)(6)> submitted a *Fraihat* release request *pro se* based on her ovarian cancer, surgical complications, BMI and other relevant health conditions. She never got a response to this request, or her numerous follow up requests. At one point she was told her original assigned DO had left and asked to resubmit her request. Again, no response was provided to her.
- February 23, 2022 – SPLC submits *Fraihat* release request for <(b)(6)> citing to her extensive medical record and the violation of the *Fraihat* order in ICE's failure to affirmatively review her case based on her serious health conditions that put her at grave risk should she contract COVID-19.
- March 14, 2022 – SPLC escalates to AFOD of New Orleans ICE Field Office and ICE Case Review given failure to respond to second release request.
- March 21, 2022 – Assigned DO, <(b)(6),(b)(7)(C)> sends email that case will be reviewed and determination made. We immediately respond, acknowledging receipt of her email and thanking her.
- March 23, 2022 – SPLC sends email to DO <(b)(6),(b)(7)(C)> with alarming medical update provided by <(b)(6)> over the phone.
- March 25, 2022 – Having received no further correspondence from DO <(b)(6),(b)(7)(C)> about <(b)(6)> pending request, SPLC calls her. DO Oshee does not answer so we leave detailed voice message.
- March 28, 2022 – SPLC escalates this case to your attention given <(b)(6)> health in grave danger, five months have passed since <(b)(6)>'s initial request without a determination of any kind being made (egregious as the Court in *Fraihat* ordered ICE to review such cases within 7 days) and over a month has passed since our *Fraihat* release request on her behalf.

Finally, <(b)(6)> removal proceedings will not be over for many months given that she only recently filed an appeal with the Board of Immigration Appeals. Upon release she will reside with her son, <(b)(6)>, who is a **Lawful Permanent Resident with a pending Application for Naturalization**, at <(b)(6)> <(b)(6)> can be reached at <(b)(6)> and he, together with the rest of their family, can secure the medical treatment, and provide the post-operative care, <(b)(6)> so desperately needs.

Please do not hesitate to contact us with any questions or concerns and thank you for your attention to this matter.