

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PABLO MORENO GONZALEZ, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	Case No. 25-cv-13323
KRISTI NOEM, Secretary of the U.S.	)	
Department of Homeland Security, in her	)	Class Action
official capacity, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**EXHIBIT LIST TO PLAINTIFFS’
CIVIL RIGHTS CLASS ACTION COMPLAINT
FOR DECLARATORY AND INJUNCTIVE RELIEF**

Exhibit No.	Description
1	Nationwide Hold Room Waiver Memo
2	Directive 11087.2, <i>Operations of ERO Holding Facilities</i>
3	2023 Audit
4	2018 Audit
5	Declaration of Steve Held
6	Declaration of Claudia Pereira Guevara
7	Declaration of Juan Gabriel Aguirre Alvarez
8	Declaration of Laura Smith
9	Declaration of Louise Carhart
10	Declaration of Khiabett Osuna
11	Declaration of Juan Gaspar-Nochebuena
12	Declaration of Jane Doe
13	Declaration of Willian Alberto Giménez González
14	Declaration of Martin Temich Polito
15	Declaration of Valentin Toto Polito
16	Declaration of Jose Guerrero Pozos
17	Declaration of John Doe
18	Declaration of John Cerrone
19	Declaration of Jasmine Pedraza
20	Declaration of Chao Zhou

Exhibit No.	Description
21	Declaration of Samuel Ochoa Ochoa
22	Declaration of Kimberly Weiss
23	Declaration of Robert Held
24	Declaration of Kevin Herrera
25	Declaration of Karina Ayala-Bermejo
26	Declaration of Constance Lara
27	Declaration of David A. Mejia
28	Declaration of Brad Thomson
29	Declaration of Jacqueline Spreadbury
30	Declaration of Representative Danny K. Davis
31	Declaration of Representative Jesús “Chuy” García
32	Declaration of Sister JoAnn Persch
33	Declaration of Reverend Abby Holcombe
34	Declaration of Shelby Vcelka
35	Declaration of Representative Delia Ramirez
36	Declaration of Santos Rebolledo Altamiran
37	Declaration of Jennifer Peyton
38	Declaration of Jack Doe
39	Declaration of Juan Munoz
40	Declaration of Fredy Cazarez Gonzalez

EXHIBIT 1

Enforcement and Removal Operations

U.S. Department of Homeland Security
500 12th Street,
SW Washington,
DC 20536



**U.S. Immigration
and Customs
Enforcement**

June 24, 2025

MEMORANDUM FOR: All ERO Field Office Directors

THROUGH: Thomas Giles
Interim Assistant Director
Field Operations

FROM: Monica S. Burke
Assistant Director
Custody Management

SUBJECT: Nationwide Hold Room Waiver

Purpose:

This memorandum provides a nationwide waiver for U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) field offices' 12-hour hold room utilization time, as it relates to [Directive 11087.2: Operations of ERO Holding Facilities](#) (January 31, 2024). Specifically, this memorandum addresses section 5.1, "Holding Facility Supervision and Monitoring – Procedures for ERO Officers," which states: "*Absent exceptional circumstances, no detainee should be housed in a holding facility for longer than 12 hours.*"

This waiver allows for aliens who are recently detained, or are being transferred to or from a court, detention facility, other holding facility, or other agency to be housed in a holding facility¹ for up to, but not exceeding, 72 hours, absent exceptional circumstances. This waiver is effective immediately and will remain in effect for one calendar year, subject to review, extension, and rescission at my discretion.

Discussion:

On January 20, 2025, President Donald J. Trump issued several executive orders, including [Protecting the American People Against Invasion](#) and [Securing Our Borders](#), which declared a national emergency and ordered the detaining, to the maximum extent authorized by law, aliens apprehended on suspicion of violating Federal or State law, until such time as they are removed from the United States.

¹ Consistent with Directive 11087.2, this includes all holding facilities operated by ERO, located in ERO field offices, or jointly operated by ERO and Homeland Security Investigations (HSI) in shared offices. It does not apply to detention facilities with hold rooms.

Nationwide Hold Room Waiver

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As a result of increased enforcement efforts, ERO's average daily population has significantly increased to over 54,000. This increase has put additional strain on finding and coordinating transfers of aliens to available beds within the required timeline detailed in Directive 11087.2. Further, ERO field offices no longer have the option to discretionarily release aliens, nor decline to take aliens into custody from our counterparts in Homeland Security Investigations (HSI) or U.S. Customs and Border Protection (CBP). As a result of these constraints, ERO field offices have had to resort to holding aliens in holding facilities beyond than the 12-hour limit.

To accommodate appropriately housing the increased number of detainees while ensuring their safety and security and avoid violation of holding facility standards and requirements, this waiver allows for aliens to be housed in a holding facility for up to, but not exceeding, 72 hours, absent exceptional circumstances. Detainees shall be in a holding facility for the least amount of time required for their processing, transfer, release, or repatriation as operationally feasible. All other hold room and hold facilities requirements continue to apply to ensure the safety, security and humane treatment of those in custody in hold rooms and hold facilities.

EXHIBIT 2

**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
OFFICE OF ENFORCEMENT AND REMOVAL OPERATIONS**

Operations of ERO Holding Facilities

Policy Number: 11087.2: Operations of ERO Holding Facilities

Issue Date: January 31, 2024

Effective Date: January 31, 2024

Superseded: 11087.1: *Operations of ERO Holding Facilities* (September 22, 2014).

1. Purpose/Background.

- 1.1** This Directive provides U.S Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) officers with policy and procedures for operating holding facilities located within their respective field offices. These procedures include but are not limited to holding facility supervision and monitoring, detainee placement and searches, sexual abuse prevention and reporting, etc.
- 1.2** While these guidelines apply to all holding facilities operated by ERO, located in ERO field offices, or jointly operated by ERO and Homeland Security Investigations (HSI) in shared offices, requirements for holding facilities are contained in the U.S. Department of Homeland Security (DHS) regulation, *Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities*.¹ and other ICE policies and procedures for responding to sexual abuse and assault incidents.²
- 1.3** This Directive does not supplant other holding facilities requirements or procedures found in the applicable ICE detention standards.

2. Policy.

- 2.1** Each holding facility shall maintain sufficient supervision of detainees, including through appropriate staffing levels and, where applicable, video monitoring, to protect detainees against sexual abuse and assault. When detainees in a holding facility are placed in rooms not originally designed for holding detainees (e.g., interview rooms or offices), they shall remain under continuous direct supervision and any unusual detainee behavior or detainee complaints shall be addressed as soon as practical and appropriately reported to a supervisor, and the detainee shall be separated from other detainees, if necessary.
- 2.2** Staff is prohibited from retaliating against any person, including a detainee, who reports, complains about, or participates in an investigation into an allegation of sexual abuse, or for participating in sexual activity as a result of force, coercion, threats, or fear of force.

¹ 79 Fed. Reg. 13100 (Mar. 7, 2014), codified at 6 C.F.R. Part 115.

² See ICE Directive 11062.2, *Sexual Abuse and Assault Prevention and Intervention* (May 22, 2014).

- 2.3** ERO field office personnel shall not carry firearms, oleoresin capsicum spray (aka OC spray or pepper spray), batons or other non-deadly force devices into a hold room, except as necessary and appropriate in responding to a security incident.
- 2.4** ERO personnel shall be sensitive to detainees' cultural and religious practices. Taking into account safety or security concerns, whenever possible, detainees' religious beliefs and practices shall be accommodated.
- 2.5** ICE ERO *Holding Facility Poster*, outlining the operational requirements for holding facilities, shall be posted in locations accessible to holding facility staff.
- 2.6** Annual compliance assessments shall be required for all facilities operated by ERO, located in ERO field offices, or jointly operated by ERO and HSI in shared offices. Detention facilities with hold rooms and ICE Air Operations staging areas shall be excluded from this exercise, as they are assessed separately via the detention standards.
- 3. Definitions.** The following definitions apply for purposes of this Directive only:
- 3.1. Detainee.** An individual in ICE custody.
- 3.2. Holding Facility.** A facility that contains hold rooms that are primarily used for the short-term confinement³ of individuals who have recently been detained, or are being transferred to or from a court, detention facility, other holding facility, or other agency.
- 3.3. Hold Room.** A holding cell, cell block, or other secure enclosure within a holding facility.
- 3.4. Minor.** Any person under 18 years of age.
- 3.5. Pat Search.** The sliding or patting of the hands over the clothed body of a detainee by staff to determine whether the individual possesses contraband. A pat search does not require the detainee to remove clothing, although the inspection includes a search of the detainee's clothing and personal effects.
- 3.6. Strip Search.** A search that requires a person to remove or arrange some or all of their clothing so as to permit a visual inspection of the person's breasts, buttocks, or genitals.
- 3.7. Visual Body Cavity Search.** A visual inspection of the anal or genital opening. This does not include contact or penetration of either opening.
- 3.8. Body Cavity Search.** A search of a body cavity aided by the use of fingers or simple instruments.

³ Short-term is defined as a period not to exceed 12 hours, absent exceptional circumstances.

- 3.9. Cross-Gender Search.** A search conducted by a member of the opposite gender identity (i.e., male to female, and female to male).
- 3.10. Exigent Circumstances.** Temporary and unforeseen circumstances that require immediate action.
- 3.11. Gender Identity.** An individual's internal sense of being a man, woman, or another gender. A person's chosen gender identity may not always be based on or informed by the individual's biological sex or on the individual's sexual orientation.
- 3.12. Transgender.** A person whose assigned sex at birth does not match their gender identity (i.e., internal sense of feeling male or female).
- 3.13. Intersex.** Having sexual or reproductive anatomy or chromosomal pattern that does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.
- 3.14. DHS PREA:** The Department of Homeland Security final rule Standards to Prevent, Detect and Respond to Sexual Abuse and Assault in Confinement Facilities, 6 C.F.R. Part 115.
- 3.15. Sexual Abuse and Assault.**
- 1) **Sexual abuse and assault** includes:
 - a) Sexual abuse and assault of a detainee by another detainee; and/or
 - b) Sexual abuse and assault of a detainee by a staff member, contractor, or volunteer.
 - 2) **Sexual abuse, harassment and assault of a detainee by another detainee** includes any of the following acts by one or more detainees, prisoners, inmates, or residents of the facility in which the detainee is housed who, by force, coercion, or intimidation, or if the victim did not consent or was unable to consent or refuse, engages in or attempts to engage in:
 - a) Contact between the penis and the vulva or anus and, for purposes of this subparagraph, contact involving the penis upon penetration, however slight;
 - b) Contact between the mouth and the penis, vulva, or anus, however slight.
 - c) Penetration, however slight, of the anal or genital opening of another person by a hand or finger or by any object;

- d) Touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing, with an intent to abuse, humiliate, harass, degrade or arouse or gratify the sexual desire of any person; or
- e) Threats, intimidation, or other actions or communications by one or more detainees aimed at coercing or pressuring another detainee to have sexual contact with any person and/or to engage in a sexual act.

3) **Sexual abuse, harassment and assault of a detainee by a staff member, contractor, or volunteer** includes any of the following acts, if engaged in by one or more staff members, volunteers, or contract personnel who, with or without the consent of the detainee, engages in or attempts to engage in:

- a) Contact between the penis and the vulva or anus and, for purposes of this subparagraph, contact involving the penis upon penetration, however slight;
- b) Contact between the mouth and the penis, vulva, or anus, however slight;
- c) Penetration, however slight, of the anal or genital opening of another person by a hand or finger or by any object that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- d) Intentional touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- e) Threats, intimidation, harassment, indecent, profane or abusive language, or other actions or communications, aimed at coercing or pressuring a detainee to have sexual contact with any person and/or to engage in a sexual act;
- f) Repeated verbal statements or comments of a sexual nature to a detainee;
- g) Any display of the staff member's uncovered genitalia, buttocks, or breast in the presence of a detainee; or
- h) The inappropriate visual surveillance of a detainee for reasons unrelated to official duties (e.g., staring at a detainee who is using a toilet in their cell to perform bodily functions; requiring a detainee to expose their buttocks, genitals, or breasts; or taking images of all or part of a detainee's naked body or of a detainee performing bodily functions).

4. Responsibilities.

4.1 The **Executive Associate Director for ERO** is responsible for ensuring compliance with the provisions of this Directive within ERO.

4.2 The **Assistant Directors for Custody Management and Field Operations** are responsible for ensuring compliance with the provisions of this Directive within their respective Divisions and Programs.

4.3 **Field Office Directors (FODs), or their supervisory designees (Deputy Field Office Directors and Assistant Field Office Directors)**, are responsible for ensuring that field office personnel follow the procedures in this Directive for operating holding facilities located within their respective field offices. More specifically, FODs are responsible for:

- 1) Ensuring that detainees are properly screened so that those with serious mental health disorders or conditions are expeditiously identified and those who exhibit signs of acute mental health distress are referred to mental health professionals pursuant to the applicable detention standards and policy;
- 2) Ensuring a coordinated, multidisciplinary team approach to responding to allegations of sexual abuse, harassment and assault occurring in holding facilities, or in the course of transit by ERO or ERO contract personnel to or from holding facilities, as well as to allegations made by a detainee at a holding facility of sexual abuse, harassment or assault that occurred elsewhere in ICE custody;
- 3) Ensuring that key information regarding ICE's zero-tolerance policy for sexual abuse, harassment and assault is visible or continuously and readily available to detainees (e.g., through posters, detainee handbooks, or other written formats);
- 4) Developing and maintaining a written evacuation plan for holding facilities in a location accessible only to employees and developing medical emergency procedures and response plans for medical emergencies (to include appropriate supervisory notification);
- 5) Considering the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect detainees from sexual abuse, harassment and assault when designing or developing any new ERO holding facility and in planning any substantial expansion or modification of existing holding facilities, in coordination with ERO Custody Management, Headquarters Field Operations Division, the Office of Acquisition Management, and the Office of Asset and Facilities Management;
- 6) Considering how such technology may enhance the agency's ability to protect detainees from sexual abuse, harassment and assault when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology in a hold room in coordination with ERO Custody Management,

Headquarters Field Operations Division, the Office of Acquisition Management, and the Office of Asset and Facilities Management; and

- 7) Conducting an annual review of the application of this policy via the Holding Facilities Self-Assessment Tool at each holding facility within their area of responsibility to ensure ongoing compliance.

4.4.1 ERO Officers are responsible for:

- 1) Ensuring that each holding facility maintains sufficient supervision of detainees by taking into consideration the physical layout of each holding facility; the composition of the detainee population; the prevalence of substantiated and unsubstantiated incidents of sexual abuse, harassment and assault; the findings and recommendations of sexual abuse, harassment and assault incident review reports; and any other relevant factors, including but not limited to, the length of time detainees spend in custody at the holding facility;
- 2) Ensuring that detainees are provided a meal at least every six hours;
- 3) Ensuring that hold rooms are safe, clean, equipped with restroom facilities, and clear of objects that could be used as weapons against ERO personnel, contractors, or detainees;
- 4) Ensuring that males and females are not detained in the same hold room, unless they are a family unit;
- 5) Ensuring that unaccompanied minors, elderly detainees, or family units are not placed in hold rooms, unless they have demonstrated or threatened violent behavior, have a history of criminal activity, or pose an escape risk;
- 6) Ensuring that minors are detained in the least restrictive setting appropriate to their age and special needs, provided that such setting is consistent with the need to protect the minor's well-being and that of others, as well as with any other laws, regulations, or legal requirements;
- 7) Ensuring that minors are held apart from adults, minimizing sight, sound, and physical contact, unless the juvenile is in the presence of an adult member of the family unit or legal guardian, and provided there are no safety or security concerns with this arrangement;
- 8) Ensuring that detainees with disabilities are provided an equal opportunity to access, participate in, and benefit from in-custody programs, services, and activities and those with communication disabilities are provided with auxiliary aids and services as necessary to allow for effective communication and those who are illiterate or with limited English proficiency are provided with meaningful access to services;

- 9) Ensuring that all pat down searches are conducted in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs and ICE policy and that when pat down search indicates the need for a more thorough search, an extended search (i.e., strip search) it is conducted in accordance with ICE policies and procedures;
- 10) Ensuring that detainees are not searched or physically examined for the sole purpose of determining their gender.

5. Procedures and Requirements.

5.1. Holding Facility Supervision and Monitoring – Procedures for ERO Officers.

- 1) Account for and continuously monitor detainees and empty holding facilities upon the conclusion of daily operations in those field office locations operating on a daily schedule. Absent exceptional circumstances, no detainee should be housed in a holding facility for longer than 12 hours.
- 2) Monitor detainees for any apparent indications of a mental or physical health condition or signs of hostility, self-harm, or harm to others that may require closer supervision or emergency medical care.
- 3) Subject detainees to direct supervision, which shall include regular visual monitoring via facility staff and/or via a video camera placed inside the hold room where applicable. Physical hold room conduct checks shall also occur at least every 15 minutes.
- 4) Log all physical hold room checks, including the time of each check and any important observations.

5.2. Hold Room Conditions – Procedures for ERO Officers.

- 1) Provide minors and pregnant women with regular access to meals, snacks, milk, and juice, regardless of their time in custody.
- 2) Provide detainees with access to drinking water in hold rooms at all times.
- 3) If the hold room is not equipped with restroom facilities, ERO officers should position themselves within direct sight or earshot of the hold room so that detainees may request and have regular access to restroom facilities.
- 4) Closely monitor detainees using the restroom, consistent with the requirements of this Directive.

5.3. Placement of Detainees with Specialized Needs – Procedures for ERO Officers.

- 1) Detain pregnant individuals in the least restrictive setting available, provided such setting is consistent with the need to protect the well-being of the pregnant individual and others and separate them from other detainees, whenever possible.
- 2) A nursing detainee will not be separated from their child absent an articulable serious safety risk.
- 3) Detainees not placed in a hold room shall be seated in a designated area outside the hold rooms, under direct supervision and control.
- 4) If the physical layout of the holding facility precludes holding such individuals outside the hold room, they may be held in a separate room.
- 5) To the extent possible, hold unaccompanied minors apart from adults and younger minors separately from older minors. The unaccompanied minor may temporarily remain with a non-parental adult family member where the family relationship has been vetted to the extent feasible and it has been determined that remaining with the non-parental adult family member is appropriate, given the totality of circumstances.

5.4. Detainees with Disabilities and Detainees Who are Limited English Proficient – Procedures for ERO Officers

- 1) Provide any detainee who has a communication disability with auxiliary aids and services as necessary to allow for effective communication.
- 2) Provide any detainee who is illiterate or has limited English proficiency and speaks a language in which written material has not been translated with in-person or telephonic oral interpretation. This includes all ICE- and facility-related information and communications, including efforts to prevent, detect, and respond to sexual abuse (including written materials) and for matters relating to allegations of sexual abuse. Interpretation must be provided by someone other than another detainee unless the detainee expresses a preference and the FOD determines the interpretation to be appropriate.

5.5. Searches of Detainees – Procedures for ERO Officers.

- 1) *Pat Down Searches.*
 - a) Where operationally feasible, an officer of the same gender (internal sense of being a man, woman, or another gender), gender identity, or declared gender as the detainee will perform the pat down search. All cross-gender pat searches must be documented.

- b) Every detainee shall undergo a pat down search for weapons and contraband before being placed in a hold room. A pat down search shall be performed even if another agency or other ERO personnel reported completing one prior to the detainee's arrival at the ERO facility or transfer of custody.
- c) Sharp objects, including pens, pencils, knives, nail files, and other objects that could be used as weapons or to deface property, as well as any smoking materials, matches, and lighters shall be removed from the detainee's possession.

2) *Strip and Visual Body Cavity Searches.*

- a) All strip searches and visual body cavity searches must be documented in a detailed manner;
- b) Cross-gender strip searches or cross-gender visual body cavity searches are not conducted except in exceptional and unforeseen circumstances, including consideration of officer safety. Cross-gender strip searches may be performed by medical practitioners; and
- c) Visual body cavity searches of minors are conducted by a medical practitioner only and not by law enforcement personnel.

3) *Searches to Determine Gender* – If the detainee's gender is unknown, it may be determined during conversations with the detainee or by reviewing medical records (if available).

5.6. Limits to Cross-Gender Viewing – Procedures for ERO Officers.

- 1) Permit detainees to shower (where showers are available), perform bodily functions, and change clothing without being viewed by staff of the opposite gender, except in exceptional and unusual circumstances or when incidental to routine cell checks.
- 2) ERO personnel of the opposite gender must announce their presence when entering an area where detainees are likely to be showering, performing bodily functions, or changing clothing.

5.7. Property – Procedures for ERO Officers.

- 1) Search detainee parcels, suitcases, bags, bundles, boxes, and other property for contraband. Keep all detainee property outside the hold room in a safe and secure area out of the reach of detainees.
- 2) Allow detainees to keep personal inhaled medication on their person and have access to other prescribed medication as necessary.

- 3) Appropriately process, inventory, and safeguard detainee property (including funds, valuables, baggage, and other personal property), to ensure the return of all such property to the detainee prior to removal or upon release from ICE custody, pursuant to applicable ICE policies and detention standards.

5.8. Written Logs – Procedures for ERO Officers.

- 1) *Detention Logs* – Maintain a detention log for every detainee brought into custody, regardless of purpose (e.g., new arrival, awaiting legal visitation, awaiting interviews). At the conclusion of each day, the FOD shall ensure that an ERO supervisor reviews, dates, and signs the detention log. The detention log will record, at a minimum:
 - a) Detainee's name;
 - b) Gender;
 - c) Age;
 - d) A-Number;
 - e) Nationality;
 - f) Language spoken, and if a detainee is not proficient in English;
 - g) Known or reported disability;
 - h) Other special vulnerability (e.g., nursing mother);
 - i) Reason for placement (e.g., court run, removal, interview with detention officer);
 - j) Time in;
 - k) Mealtime;
 - l) Time out;
 - m) Final disposition (e.g., removed, transported to a county jail, Office of Refugee Resettlement placement);
 - n) Badge number of logging officer; and
 - o) Cross-gender pat-down search, strip search, and visual body cavity search information.

- 2) *Holding Facility Inspection Logs* – Inspect all hold rooms every 12 hours. Each ERO field office maintain a “Hold Room Inspection Log” to document the results of those inspections.
- a) The log will include the date, time, name, and signature of the officer conducting each inspection.
 - b) Visual inspections of every hold room will be conducted at the beginning and conclusion of daily operations to ensure that the hold rooms are operational, plumbing is functional, and that no contraband has been introduced prior to placing a detainee into the room. Visual inspections will be recorded in the log.
 - c) Any evidence of tampering with doors, locks, windows, grills, telephones, plumbing or electrical fixtures will be immediately reported to a supervisor for corrective action or repair and noted in the log. The hold room will not be utilized until the corrective action and/or repair is complete, and a supervisor at the Assistant Field Office Director or higher level has authorized its use.

5.9. Holding Facility Plans for Evacuations and Medical Emergencies – Procedures for ERO Officers.

- a) Be aware of the location of emergency medical supplies and equipment; and
- b) Respond immediately to observed or reported medical emergencies and contact local emergency medical services when a detainee is determined to need urgent medical care.
 - i) If the detainee is removed from a holding facility for medical treatment, ERO personnel shall accompany and remain with the detainee until the completion of treatment and official medical clearance is provided.
 - ii) If the detainee is hospitalized, appropriate supervisory notification shall occur.

5.10. Sexual Abuse and Assault Prevention – Procedures for FODs.

1) *Screening*

- a) Ensure that before placing detainees together in a hold room, there shall be consideration of whether a detainee may be at a high risk of being sexually abused or assaulted, and, when appropriate, shall take necessary steps to mitigate any such danger to the detainee.
- b) Ensure that the following criteria are considered in assessing detainees for risk of sexual victimization or abusiveness, to the extent that the information is available:

- i) Whether the detainee has a mental, physical, or developmental disability;
 - ii) The age of the detainee;
 - iii) The physical build and appearance of the detainee;
 - iv) Whether the detainee has previously been incarcerated or detained;
 - v) The nature of the detainee's criminal history;
 - vi) Whether the detainee has any convictions for sex offenses;
 - vii) Whether the detainee has self-identified as Lesbian, Gay, Bisexual, Transgender or Intersex (LGBTI) or gender nonconforming;
 - viii) Whether the detainee has self-identified as previously having experienced sexual victimization; and
 - ix) The detainee's own concerns about their physical safety.
- c) Implement appropriate controls on the dissemination of any sensitive information regarding a detainee provided pursuant to screening procedures.
 - d) When staff has a reasonable belief that a detainee is subject to a substantial risk of imminent sexual abuse, they shall take immediate action to protect the detainee.
 - e) For detainees identified as being at high risk for victimization, the FOD shall provide heightened protection, including continuous direct sight and sound supervision, single-housing, or placement in a hold room actively monitored on video by a staff member sufficiently proximate to intervene.

2) *Sexual Abuse and Assault Reporting*

- a) Ensure that detainees are provided instructions on multiple ways they can confidentially, and if desired, anonymously report incidents of sexual abuse or assault and retaliation for reporting sexual abuse or assault, or staff neglect or violations of responsibilities that may have contributed to such incidents to ERO personnel.
- b) Implement procedures for ERO personnel to accept reports made verbally, in writing, anonymously, and from third parties and promptly document any verbal reports.
- c) Ensure that detainees are provided with instructions on how they can contact the DHS Office of Inspector General (OIG) (or, as appropriate, another public or

private entity which is able to receive and immediately forward detainee reports of sexual abuse or assault to agency officials) to confidentially and, if desired, anonymously, report these incidents.

- d) All staff are required to report immediately and according to agency policy.⁴ any knowledge, suspicion, or information regarding a sexual abuse incident, retaliation against detainees or staff who reported or participated in a related investigation; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.
- e) Implement appropriate controls on the dissemination of any sensitive information regarding a reported sex abuse allegation, retaliation, or staff neglect.
- f) If an alleged sex abuse victim is under the age of 18 or determined, after consultation with the relevant Office of the Principal Legal Advisor Office of the Chief Counsel, to be a vulnerable adult under a State or local vulnerable persons statute, the FOD shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.

5.11. Responding to Sexual Abuse and Assault Incidents – Procedures for FODs.

- 1) *Reporting Duties* – Ensure that all allegations of sexual abuse and assault occurring in holding facilities are immediately reported pursuant to the notification requirements of the ICE Directive on Sexual Abuse and Assault Prevention and Intervention.
- 2) *First Responder Duties (officers or agents)* – Ensure that upon learning of an allegation that a detainee was sexually abused or assaulted, the responder, or their supervisor:
 - a) Separates the alleged victim and abuser;
 - b) Considers whether any staff, contractor or volunteer alleged to have perpetrated sexual abuse should be removed from duties requiring detainee contact pending the outcome of an investigation and shall do so if the seriousness and plausibility of the allegation make removal appropriate.
 - c) Preserves and protects, to the greatest extent possible, any crime scene until appropriate steps can be taken to collect any evidence;
 - d) If the sexual abuse or assault occurred within a time period that still allows for the collection of physical evidence, requests the alleged victim not to take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and

⁴ This includes methods by which staff can report misconduct outside of their chain of command.

- e) If the sexual abuse or assault occurred within a time period that still allows for the collection of physical evidence, ensures that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
- 3) *First Responder Duties (non-officers or agents)* – If the first responder is not an officer or agent, the responder shall request the alleged victim not to take any actions that could destroy physical evidence, and then notify an officer or agent.
- 4) *Medical and Mental Health Care and Community and Victim Services*
- a) Ensure that detainee victims of sexual abuse or assault have timely, unimpeded access to emergency medical and mental health treatment and crisis intervention services, including emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care. This treatment must be without financial cost to the victim and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
 - b) Coordinate with ERO HQ and the agency Prevention of Sexual Assault Coordinators in utilizing, to the extent available and appropriate, community resources and services that provide expertise and support in the areas of crisis intervention and counseling to address victims' needs.
 - c) If a victim is transferred between DHS facilities covered by DHS PREA subpart A or B, the FOD shall, as permitted by law, inform the receiving facility of the incident and the victim's potential need for medical or social services.
 - d) If a victim is transferred from a DHS holding facility to a facility not covered by section (c) above, the FOD shall, as permitted by law, inform the receiving facility of the incident and the victim's potential need for medical or social services, unless the victim requests otherwise.
- 5) *Forensic Medical Examinations* – Where evidentiarily or medically appropriate, at no cost to the detainee, regardless of whether the victim names the abuser, and only with the detainee's consent, the FOD shall arrange for or refer an alleged victim detainee to a medical facility to undergo a forensic medical examination, including a Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) where practicable. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified health care personnel. If, in connection with an allegation of sexual abuse or assault, the detainee is transported for a forensic examination to an outside hospital that offers victim advocacy services, the detainee shall be permitted to use such services to the extent available, consistent with security needs.

- 6) *Sexual Abuse and Assault Incident Reviews* – Conduct a sexual abuse and assault incident review at the conclusion of every investigation of sexual abuse or assault occurring at a holding facility and, unless the allegation was determined to be unfounded, prepare a written report recommending whether the allegation or investigation indicates that a change in policy or practice could better prevent, detect, or respond to sexual abuse and assault. Such review shall ordinarily occur within 30 days of ERO's receipt of the investigation results from the investigating authority.
 - a) Implement the recommendations for improvement, or document its reasons for not doing so, in a written justification. The review, report and justification shall be forwarded to the ICE PSA Coordinator.

6. Authorities/References.

- 6.1. Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities, 79 Fed. Reg. 13100 (Mar. 7, 2014).
- 6.2. ICE Policy 11062.2: *Sexual Abuse and Assault Prevention and Intervention* (May 22, 2014).
- 6.3. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended.
- 6.4. ICE Policy 11071.1: *Assessment and Accommodations for Detainees with Disabilities* (December 15, 2016).
- 6.5. ICE Policy 11032.4: *Identification and Monitoring of Pregnant, Postpartum, or Nursing Individuals* (July 1, 2021).
- 6.6. ICE Policy 11063.2: *Identification, Communication, Recordkeeping, and Safe Release Planning for Detained Individuals with Serious Mental Disorders or Conditions and/or Who Are Determined To Be Incompetent By An Immigration Judge* (April 5, 2022).
7. **No Private Right Statement.** This document is an internal policy statement of ICE. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter. Nor are any limitations hereby placed on otherwise lawful enforcement prerogatives of ICE.

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Daniel A. Bible
Executive Associate Director
Office of Enforcement and Removal Operation
U.S. Immigration and Customs Enforcement

EXHIBIT 3

PREA Audit: Subpart B
DHS Immigration Detention Facilities
Audit Report



**Homeland
Security**

AUDIT DATES

From: 7/11/2023 **To:** 7/12/2023

AUDITOR INFORMATION

Name of auditor: Sharon Shaver **Organization:** Creative Corrections, LLC
Email address: (b) (6), (b) (7)(C) **Telephone #:** (409) 866- (b) (6), (b) (7)(C)

PROGRAM MANAGER INFORMATION

Name of PM: (b) (6), (b) (7)(C) **Organization:** Creative Corrections, LLC
Email address: (b) (6), (b) (7)(C) **Telephone #:** (772) 579- (b) (6), (b) (7)(C)

AGENCY INFORMATION

Name of agency: U.S. Immigration and Customs Enforcement (ICE)

FIELD OFFICE INFORMATION

Name of Field Office: Chicago
Field Office Director: Ladeon Francis
ERO PREA Field Coordinator: (b) (6), (b) (7)(C)
Field Office HQ physical address: 101 W. Ida B Wells Drive, Suite 4000 Chicago, IL 60605

INFORMATION ABOUT THE FACILITY BEING AUDITED

Basic Information About the Facility

Name of facility: Broadview Service Staging
Physical address: 1930 Beach Street Broadview Illinois 60155
Telephone number: 312-347-2400
Facility type: Staging Facility
PREA Incorporation Date: Click or tap to enter a date.

Facility Leadership

Name of Officer in Charge:	(b) (6), (b) (7)(C)	Title:	Assistant Field Office Director (AFOD)
Email address:	(b) (6), (b) (7)(C)	Telephone #:	312-296- (b) (6), (b) (7)(C)
Name of PSA Compliance Manager:	(b) (6), (b) (7)(C)	Title:	PSA Compliance Manager
Email address:	(b) (6), (b) (7)(C)	Telephone #:	773-655- (b) (6), (b) (7)(C)

NARRATIVE OF AUDIT PROCESS AND DESCRIPTION OF FACILITY CHARACTERISTICS

Directions: Discuss the audit process to include the date of the audit, names of all individuals in attendance, audit methodology, description of the sampling of staff and detainees interviewed, description of the areas of the facility toured, and a summary of facility characteristics.

The U.S. Department of Homeland Security (DHS) Prison Rape Elimination Act (PREA) audit of the Broadview Service Staging (BSS) was conducted on July 11, 2023, by U.S. Department of Justice (DOJ) and DHS certified PREA Auditor Sharon Shaver, employed by Creative Corrections, LLC. The Auditor was provided guidance and review during the audit report writing and review process by ICE Program Manager (PM), (b) (6), (b) (7)(C), also a DOJ and DHS certified PREA Auditor. The PM's role is to provide oversight to the ICE PREA audit process and liaison with the ICE, Office of Professional Responsibility (OPR), External Reviews and Analysis Unit (ERAU) during the audit report review process. The purpose of the audit was to determine compliance with the DHS PREA Standards for the audit period of September 12, 2018, through July 11, 2023. This was the facility's second DHS PREA audit. The BSS is an ICE Hold Room operated by ICE providing custody for ICE adult male and female detainees, while pending immigration review or deportation. The design capacity for this facility is 236 detainees; 1932 detainees were booked into the BSS in the last 12 months. The facility is located in Broadview, IL.

On July 11, 2023, an entrance briefing was held in the BSS Conference Room. The ICE ERAU Team Lead, (b) (6), (b) (7)(C), opened the briefing and then turned it over to the Auditor. In attendance were:

ICE Staff

(b) (6), (b) (7)(C), Assistant Field Office Director (AFOD), ERO

(b) (6), (b) (7)(C), Supervisory Detention and Deportation Officer (SDDO) and Prevention of Sexual Abuse Compliance Manager (PSACM), ERO

(b) (6), (b) (7)(C), SDDO, ERO

(b) (6), (b) (7)(C), Building Manager

(b) (6), (b) (7)(C), Inspections and Compliance Specialist (ICS)/ERAU

Creative Corrections, LLC

Sharon Shaver, Certified PREA Auditor

The Auditor introduced herself and then provided an overview of the audit process and the methodology to be used to demonstrate compliance with the DHS PREA standards with those present. The Auditor explained the audit process is designed to not only assess compliance through written policies and procedures but also to determine whether such policies and procedures are reflected in the knowledge of staff at all levels and in daily practice. Approximately four weeks prior to the audit, ERAU Team Lead, (b) (6), (b) (7)(C), provided the Auditor with the facility's Pre-Audit Questionnaire (PAQ), agency policies, allegations spreadsheet and other pertinent documents through ERAU's SharePoint site. The main policies that provide facility direction for PREA at the BSS are Policy 11087.1, Operations of ERO Holding Facilities, and Policy 11062.2, Sexual Abuse and Assault Prevention and Intervention (SAAPI). All documentation, policies, and the PAQ were reviewed by the Auditor prior to the site visit. The Auditor requested additional information before the site visit and this documentation was promptly provided. A tentative daily schedule was provided by the Team Lead for the interviews with staff and detainees, if available, on site. The Auditor received no correspondence from any detainees or staff or other interested parties prior to the audit or prior to the submission of the report. Immediately upon conclusion of the in-briefing the Auditor was provided a full-facility tour which

included the administrative office area, intake/booking area, holding rooms, attorney/detainee visiting rooms, and the conference room/break room located upstairs. The two-story building is owned and occupied by ICE.

The detainee in-processing/booking area is located on the main floor and can be accessed from the front administrative areas and through two back entryways. Detainees are brought into the BSS through the side entry, generally by ICE personnel field agents from various task force teams. Part of the detainee processing is completed by the arresting officer and then turned over to the BSS ICE staff. The processing/booking area contains a large interview room with multiple stations, four multiple occupancies holding cells, two single person cells and an interview room. Each of these multiple occupancy holding cells has a toilet, and a place to sit while awaiting processing and is equipped (b) (7)(E). Detainees arriving at the BSS remain at the facility for approximately five hours and are then either released from custody, remanded to an ICE detention facility, or transported for deportation. Detainees remain in this area until they are individually classified and assessed by the DO. Detainees placed in any of the holding cells are supervised in accordance with the 11087.1 requirement by the assigned ICE staff with rounds occurring (b) (7)(E). The BSS has no medical unit or medical staff nor any food facilities or food staff. The BSS is staffed Monday through Friday, from 7:00 a.m. to 8:00 p.m. Primary shifts are 7:00 a.m. to 3:00 p.m., 8:00 a.m. to 4:00 p.m., and 12:00 p.m. to 8:00 p.m. Interviews conducted during the site visit included 6-ERO Detention Officers (DO), 1-SDDO/PSACM; 1-SDDO, 1-SDDO/PREA Field Coordinator (virtually), 1-AFOD, 1-Building Manager, and 1-Paragon Systems Manager (contractor). The Auditor interviewed the only detainee who was processed at the facility during the site visit. According to interviews with the AFOD and SDDO/PSACM, only law enforcement staff have contact with detainees. There are no volunteers at the BSS and the facility contracts with Paragon Systems to provide building/premises security. All staff interviews were conducted in a private office. No staff refused to be interviewed. All staff interviewed were aware of the agency's zero-tolerance policy, their responsibilities to protect detainees from sexual abuse, and their duties as first responders as part of a coordinated response.

On July 11, 2023, an exit briefing was held in the AFOD's office. The ICE ERAU Team Lead, (b) (6), (b) (7)(C) opened the briefing and then turned it over to the Auditor. In attendance were:

ICE Staff

(b) (6), (b) (7)(C), AFOD, ERO
 (b) (6), (b) (7)(C), SDDO/PSACM, ERO
 (b) (6), (b) (7)(C), SDDO, ERO
 (b) (6), (b) (7)(C), (A) SDDO, ERO
 (b) (6), (b) (7)(C) ICS, ERAU

Creative Corrections, LLC

Sharon Shaver, Certified PREA Auditor

The Auditor informed those present that she was impressed with the staff and overall operation of the BSS, but it was too early in the process to formalize an outcome of the audit and that she would need to triangulate his findings and results of the interviews conducted prior to making a final determination on compliance for the standards. The Auditor asked if the staff present had any questions and there were none. She thanked the BSS staff for their hard work and cooperation in preparation for the audit and during the site visit. The Team Lead

then explained the next steps in the audit process and the 180-day corrective action period, should one be necessary, prior to the briefing conclusion.

SUMMARY OF AUDIT FINDINGS

Directions: Discuss audit findings to include a summary statement of overall findings and the number of provisions which the facility has achieved compliance at each level: Exceeds Standard, Meets Standard, and Does Not Meet Standard.

Number of Standards Exceeded: 0

Number of Standards Met: 28

- §115.111 - Zero tolerance of sexual abuse; Prevention of Sexual Assault Coordinator
- §115.113 - Detainee supervision and monitoring
- §115.115 - Limits to cross-gender viewing and searches
- §115.116 - Accommodating detainees with disabilities and detainees who are limited English proficient
- §115.117 - Hiring and promotion decisions
- §115.121 - Evidence protocol and forensic medical examinations
- §115.122 - Policies to ensure investigation of allegations and appropriate agency oversight
- §115.131 - Employee, contractor, and volunteer training
- §115.132 - Notification to detainees of the agency's zero-tolerance policy
- §115.134 - Specialized training: Investigations
- §115.141 - Assessment for risk of victimization and abusiveness
- §115.151 - Detainee reporting
- §115.154 - Third-party reporting
- §115.161 - Staff reporting duties
- §115.162 - Agency protection duties
- §115.163 - Reporting to other confinement facilities
- §115.164 - Responder duties
- §115.165 - Coordinated response
- §115.166 - Protection of detainees from contact with alleged abusers
- §115.167 - Agency protection against retaliation
- §115.171 - Criminal and administrative investigations
- §115.172 - Evidentiary standards for administrative investigations
- §115.176 - Disciplinary sanctions for staff
- §115.177 - Corrective action for contractors and volunteers
- §115.182 - Access to emergency medical services
- §115.186 - Sexual abuse incident reviews
- §115.187 - Data collection
- §115.201 - Scope of Audits

Number of Standards Not Met: 0

Number of Standards Not Applicable: 2

- §115.114 - Juvenile and family detainees
- §115.118 - Upgrades to facilities and technologies

Hold Room Risk Rating

- §115.193 – Audit of standards – Low Risk

PROVISIONS

Directions: In the notes, the auditor shall include the evidence relied upon in making the compliance or non-compliance determination for each provision of the standard, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Corrective Action Plan Final Determination, accompanied by information on specific corrective actions taken by the facility. Failure to comply with any part of a standard provision shall result in a finding of “Does not meet Standard” for that entire provision, unless that part is specifically designated as Not Applicable. For any provision identified as Not Applicable, provide an explanation for the reasoning.

§115.111 - Zero tolerance of sexual abuse; Prevention of Sexual Assault Coordinator

Outcome: Meets Standard

Notes:

(a) The facility provided for compliance review Policy 11062.2 that requires,” ICE has a zero-tolerance policy for all forms of sexual abuse or assault. It is ICE policy to provide effective safeguards against sexual abuse and assault of all individuals in ICE custody, including with respect to screening, staff training, detainee education, response and intervention, medical and mental health care, reporting, investigation, and monitoring and oversight, as outlined in this Directive, in the requirements of PBNDS2011 Standard 2.11, and in other related detention standards and ICE policies.” The Auditor conducted formal interviews with ERO staff (two SDDOs and six DOs) assigned to BSS. Each was aware of the agency policy against sexual abuse. The interviews conducted with one detainee present during the site visit confirmed his awareness of the agency's zero-tolerance policy as well. The Auditor observed the agency's zero-tolerance information posted in each of the six holding rooms and in various other public and private areas during the tour and determined that the zero-tolerance policy for sexual abuse has been implemented at the facility.

Corrective Action:

No corrective action needed.

§115.113 - Detainee supervision and monitoring

Outcome: Meets Standard

Notes:

(a)(b)(c) The facility provided for compliance review Policy 11087.1 that requires, “The FOD shall ensure that each holding facility maintains sufficient supervision of detainees, including through appropriate staffing levels and, where applicable, video monitoring, to protect detainees against sexual abuse and assault. In so doing, the FOD shall take into consideration: the physical layout of each holding facility; the composition of the detainee population; the prevalence of substantiated and unsubstantiated incidents of sexual abuse and assault; the findings and recommendations of sexual abuse and assault incident review reports; and any other relevant factors, including but not limited to, the length of time detainees spend in custody at the holding facility. FODs shall ensure that detainees placed into holding facilities are: Accounted for and continuously monitored and that holding facilities are emptied upon the conclusion of daily operations in those field office locations operating on a daily schedule. Absent exceptional circumstances, no detainee should be housed in a holding facility for longer than 12 hours and should be monitored for any apparent indications of a mental or physical condition or signs of

hostility that may require closer supervision or emergency medical care. Subject to direct supervision, which shall include (b) (7)(E)

(b) (7)(E) All physical hold room checks shall be logged, including the time of each check and any important observations. When detainees in a holding facility are placed in rooms not originally designed for holding detainees (e.g., interview rooms or offices), the FOD shall ensure that the detainees remain under constant direct supervision.” The facility maintains office hours from 7:00 a.m. to 8:00 p.m. The Auditor was provided the staffing levels for two shifts, 7:00 a.m. to 2:00 p.m. and 12:00 p.m. to 8:00 p.m. at the BSS. The Auditor was also provided and reviewed the facility Holding Facility Self-Assessment Tool (HFSAT) dated January 2023 and the prior year, 2022, indicating that the assessment is conducted at least annually. This self-assessment tool is used annually to determine if hold rooms conform to the 11087.1 policy and standard requirements and assigned staff supervision guidelines. The staffing levels, (b) (7)(E)

(b) (7)(E) appear to provide adequate detainee supervision at the BSS. (b) (7)(E) however, detainees are restricted to the processing area, holding cells, and visitation/interview room. Each of these areas are (b) (7)(E). The Auditor observed that the toilets were (b) (7)(E) in the four multi-occupancy cells and use of (b) (7)(E) where needed. The Auditor confirmed that (b) (7)(E) were visually blurred out over the toilet area preventing viewing while detainees use the restroom. (b) (7)(E)

(b) (7)(E). (b) (7)(E) (b) (7)(E) (b) (7)(E)

(b) (7)(E) The Auditor's review of the HFSAT and interview with the AFOD confirmed that the facility took into consideration the physical layout of the facility, the composition of the detainee population, the prevalence of incidents of sexual abuse (none), the findings and recommendations of sexual abuse incident review reports (none), and the length of time detainee spend in agency custody (average five hours), when determining staffing and the need for video monitoring equipment upgrades and expansion.

Corrective Action:

No corrective action needed.

§115.114 - Juvenile and family detainees

Outcome: Not Applicable

Notes:

(a)(b) The BSS provided a written directive, Policy 11087.1, Operations of ERO Holding Facilities, which states in part that; “The FOD shall ensure that unaccompanied minors, elderly detainees, or family units are not placed in hold rooms, unless they have demonstrated or threatened violent behavior, have a history of criminal activity, or pose an escape risk. The FOD shall ensure minors are detained in the least restrictive setting appropriate to his or her age and special needs, provide that such settings are consistent with the need to protect the minor’s well-being and that of others, as well as with any laws, regulations, or legal requirements. Unaccompanied minors will generally be held separate from adults. The unaccompanied minor may temporarily remain with a non-parental adult family member where a) The family relationship has been vetted to the extent feasible, b) The agency determines that remaining with the non-parental adult family member is appropriate, under the totality of the circumstances.” The BSS presented a memorandum from the AFOD, who further confirmed during an interview, that the BSS does not hold juveniles or family units. When interviewing the six DOs and two SDDOs the Auditor confirmed that this facility has held no juveniles or family units.

Corrective Action:

No corrective action needed.

§115.115 - Limits to cross-gender viewing and searches**Outcome:** Meets Standard**Notes:**

(b)(c)(d)(e)(f) The facility provided for compliance review Policy 11087.1, Operations of ERO Holding Facilities, that governs limits to cross gender viewing and searches. This policy requires "the FOD ensure that all pat-down searches are conducted in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs and ICE policy, including consideration of officer safety. Where operationally feasible, an officer of the same gender as the detainee will perform the pat down search. Every detainee shall undergo a pat down search for weapons and contraband before being placed in a hold room. A pat down search shall be performed even if another agency or other ERO personnel report completing one prior to the detainee's arrival at the ERO facility or transfer of custody." This policy further requires "the FOD ensure when the pat down search indicates the need for a more thorough search, an extended search (i.e., strip search) is conducted in accordance with ICE policies and procedures, including that all strip searches and visual body cavity searches are documented; cross-gender strip searches or cross-gender visual body cavity searches are not conducted except in exigent circumstances, including consideration of officer safety, or when performed by medical practitioners; and visual body cavity searches of minors are conducted by a medical practitioner and not by law enforcement personnel." Policy 11087.1 also requires "the FOD ensure that detainees are permitted to shower (where showers are available), perform bodily functions, and change clothing without being viewed by staff of the opposite gender, except in exigent circumstances or when such viewing is incidental to routine hold room checks, or is otherwise appropriate in connection with a medical exam or monitored bowel movement under medical supervision. The FOD will also ensure that ERO personnel of the opposite gender announce their presence when entering an area where detainees are likely to be showering, performing bodily functions, or changing clothing. The FOD shall also ensure that ERO personnel do not search or physically examine a detainee for the sole purpose of determining the detainee's gender. If the detainee's gender is unknown, it may be determined during conversations with the detainee, by reviewing medical records (if available), or, if necessary, learning that information as part of a broader medical examination conducted in private, by a medical practitioner." During the interviews with the AFOD and SDDO/PSACM, they stated that cross-gender strip searches are only permitted to be performed by medical staff, if needed. However, it should be noted that there are no medical staff working at the BSS. Therefore, if the need for such a search was deemed necessary the detainee would have to be transported to a facility or medical center with medical staff for the search. They also stated that searches are not conducted for the sole purpose of identifying a detainee's gender and that the detainee would be asked what gender they identify with. When interviewing random staff, all six DOs stated that they were taught how to conduct pat searches during their initial training and that generally they rely on utilizing sworn staff of the same gender when confronted with the need to conduct a search of a detainee of the opposite gender. Also, all six DOs stated that they had not conducted or witnessed any strip searches or visual body searches of any detainees of the same gender or opposite gender or juveniles. The Auditor viewed randomly selected video footage of the last large intake processing day and found that pat searches were conducted professionally and respectfully and in a manner that provided safety for the officers. During his interview, the SDDO/PSACM explained that a detainee

can use the bathroom, and change clothes without being viewed by others, (b) (7)(E) While the two large holding rooms are equipped with a single shower; these showers are inoperable, and the space is currently used for storage. The SDDO/PSACM and AFOD confirmed that detainees do not shower while at this facility. The Auditor observed the privacy half walls and (b) (7)(E) located in the holding cells equipped with a toilet and found them such that the detainee can perform bodily functions without being viewed by opposite gender staff; A combination of (b) (7)(E) was used to accomplish this. The six DOs interviewed explained that they are assigned responsibility of making rounds in the hold room on a rotating basis and each confirmed they make opposite gender announcements of their presence when entering the area. Due to the mission and short-term temporary presence of detainees at the hold room, no detainees change clothes at the hold room. They are either brought in upon the initial arrest and then transferred to a long-term facility, or they arrive from a long-term facility for release, or are transported for deportation. In either situation there is no need for the detainee to change clothes. There was one detainee present being processed during the onsite audit and he confirmed to the Auditor that he was able to use the restroom privately, that he had not been strip searched; he further confirmed that the arresting officer had conducted a pat search and the search was done respectfully and professionally. The BSS presented a memorandum dated May 1, 2023, authored by the AFOD stating that the BSS has not conducted any strip searches or visual body cavity searches of non-citizens in the 12 months preceding the audit. The Auditor was provided 10 training certificates indicating that staff has completed and acknowledged their understanding of the proper procedures for pat down searches, cross-gender pat down searches and searches of transgender and intersex detainees. The six DOs and the two SDDOs interviewed confirmed they have received this training and were able to demonstrate to the Auditor how to conduct a proper search. The curriculum for this training is available on the ERAU SharePoint and was reviewed by the Auditor; it is found to meet all requirements of this standard.

Corrective Action:

No corrective action needed.

§115.116 - Accommodating detainees with disabilities and detainees who are limited English proficient

Outcome: Meets Standard

Notes:

(a)(b)(c) The facility provided for compliance review policy 11087.1 which requires that “the FOD shall take appropriate steps to ensure that detainees with disabilities have an equal opportunity to participate in and benefit from processes and procedures in connection with placement in an ERO holding facility, consistent with established statutory, regulatory, DHS and ICE policy requirements. The FOD shall take reasonable steps to ensure meaningful access to detainees who are limited English proficient, consistent with established regulatory and DHS and ICE policy requirements. In matters relating to allegations of sexual abuse or assault, ensure the provision of in-person or telephonic interpretation services that enable effective, accurate, and impartial interpretation, by someone other than another detainee, unless the detainee expresses a preference for another detainee to provide interpretation and ICE determines that such interpretation is appropriate and consistent with DHS policy. The provision of interpreter services by minors, alleged abusers, detainees who witnessed the alleged abuse or assault, and detainees who have a significant relationship with the alleged abuser, is not appropriate in matters relating to allegations of sexual abuse or assault.” During the site visit at BSS the Auditor observed one detainee being processed. Additionally, interviews with the processing DO and the SDDO/PSACM provided the Auditor with an in-depth over-view of the full process. They indicated that most of

detainees encountered at BSS are English proficient or speak Spanish. The male and female detainees are separated and placed in one of the six hold rooms. In each of the hold rooms the Auditor observed the ICE Sexual Abuse Awareness Information (SAA) pamphlet in both English and Spanish. These interviews further explained that this SAA document is available in 15 languages (Arabic, Bengali, Chinese, English, French, Haitian Creole, Hindi, Portuguese, Punjabi, Romanian, Russian, Spanish, Turkish, Ukrainian, and Vietnamese) and is provided to all detainees upon arrival. During interviews with the BSS, they explained that the facility maintains and provides detainees with the ICE National Detainee Handbook available in 14 of the most prevalent languages encountered by ICE (English, Spanish, French, Haitian Creole, Punjabi, Hindi, Arabic, Simplified Chinese, Russian, Turkish, Bengali, Romanian, Portuguese, and Vietnamese) and the Auditor observed all languages available onsite for distribution. The Auditor observed all these Handbooks available in the stated languages at the facility. If the DO performing the intake is not fluent in the language spoken and understood by the detainee being processed, they would utilize the DHS “I speak...” Language Identification Guide to have the detainee point out which language they speak and then utilize the ERO Language Service, that provides interpretive and translation services, to provide interpreter assistance. If the detainee speaks a language not covered by either of these documents, they utilize this same services provider to access an interpreter to provide sexual safety and reporting information found in the SAA pamphlet. These interviews also detailed to the Auditor the handling of any detainee arriving at the BSS with a disability. They indicated that any detainee arriving at BSS who may have limited sight or who are blind would have the information presented to them verbally by the DO. A detainee arriving with limited hearing or who is deaf would be provided information in writing utilizing the ERO Language Service, that provides translation services. A detainee arriving with intellectual, or psychiatric disabilities would be referred to the SDDO/PSACM who would obtain the necessary communication resources, determined on a case-by-case basis, if the DO was unable to effectively communicate with the detainee. The Auditor was also advised during these interviews that the use of other detainees as interpreters is covered in policy 11062.2 and is allowed if requested by the detainee victim and approved by the agency. They also confirmed that the use of minors, those witnessing the alleged assault or those detainees with a relationship with the alleged abuser is not appropriate.

Corrective Action:

No corrective action needed.

§115.117 - Hiring and promotion decisions

Outcome: Meets Standard

Notes:

(a)(b)(c)(d)(e)(f) The facility provided for compliance review Federal Statute 731.202 (b), Executive Order 10450, ICE Personnel Security and Suitability Program Directive 6-7.0, and ICE Suitability Screening Requirements for Contractor Personnel Directive 6-8.0, which require, “the facility and agency, to the extent permitted by law, to refuse to hire or promote anyone who may have contact with detainees, and decline to enlist the services of any contractor or volunteer who may have contact with detainees, who has been found to have engaged, been convicted of engaging, or civilly or administratively adjudicated to have engaged in sexual abuse as defined in the standard.” These documents collectively require anyone entering into or remaining in government service undergo a thorough background examination for suitability and reinvestigations every five-years. The background investigation, depending on the type of work, is thorough to include education checks, criminal records check, neighbor, and residence checks, financial checks, and prior employment

checks. The policy documents outline misconduct and criminal misconduct being grounds for unsuitability, including material omissions or making false or misleading statements in the application. The Unit Chief of OPR Personnel Security Operations (PSO) informed Auditors, who attended virtual training in November 2021, that detailed candidate suitability for all applicants includes their obligation to disclose any misconduct where he/she engaged in sexual abuse in a prison, jail, holding facility, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); any conviction of engaging or attempting to engage in sexual activity facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or any instance where he or she has been civilly or administratively adjudicated to have engaged in such activity. Based on information provided in an email by the OPR PSO (A) Division Chief, information on substantiated allegations of sexual abuse involving a former employee would be provided to prospective employers upon request, unless prohibited by law. An interview conducted with the AFOD confirmed the hiring processes are conducted in accordance with the directives issued from PSO. The SDDO was recently promoted and confirmed during his interview that he was asked the misconduct questions by completion of a form that he signed as part of the employment packet. The Auditor did not review records since the facility retains no personnel files on site. Based on the memorandum dated November 8, 2021, issued by the ICE Acting Deputy Director, Employee Obligation to Report Corruption and Misconduct, ICE employees are obligated to report criminal and other allegations of employee and contractor misconduct, specifically including “sexual assaults, sexual harassment, or non-sexual harassment of [...] detainees.” Interviews with the BSS staff confirmed their awareness of the agency’s requirement to disclose any misconduct outlined in subpart (a) of this standard. The Auditor selected from the staff roster four ICE ERO employees and requested verification of background investigations through the ICE PSO Unit. This Unit provided confirmation that the background investigations were performed prior to these employees being hired or having contact with detainees and confirmed the due dates for the updated five-year background checks were compliant with the standard requirements. Interviews with the AFOD and the Paragon Systems Manager confirmed that the Paragon employees do not have detainee contact and their contracted scope of service is for building and premises security only.

Corrective Action:

No corrective action needed.

§115.118 - Upgrades to facilities and technologies

Outcome: Not Applicable

Notes:

This standard is not applicable as an interview with the AFOD and Building Manager, and review of the information provided on the PAQ confirmed that BSS did not expand the facility or add additional video equipment during the audit period.

Corrective Action:

No corrective action needed.

§115.121 - Evidence protocol and forensic medical examinations**Outcome:** Meets Standard**Notes:**

(a)(b)(c)(d)(e) The facility provided for compliance review policies 11087.1 and 11062.2, that require “The FOD ensures that the facility complies with the investigation mandates established by PBNDS 2011 Standard 2.11, as well as other relevant detention standards and contractual requirements, including by, when feasible, securing and preserving the crime scene and safeguarding information and evidence consistent with established evidence protocols; conducting a prompt, thorough, and objective investigation by qualified investigators; arranging for the victim to undergo a forensic medical examination, where appropriate; and ensuring that the presence of the victim’s outside or internal victim advocate, as requested by the victim, is allowed for support during forensic exams and investigatory interviews. Where evidentiarily or medically appropriate, at no cost to the detainee, and only with the detainee’s consent, the FOD shall arrange for or refer an alleged victim detainee to a medical facility to undergo a forensic medical examination by a Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) where practicable. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified health care personnel. If, in connection with an allegation of sexual abuse or assault, the detainee is transported for a forensic examination to an outside hospital that offers victim advocacy services, the detainee shall be permitted to use such services to the extent available, consistent with security needs. If the sexual abuse or assault occurred within a time period that still allows for the collection of physical evidence, the facility requests the alleged victim not to take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and if the sexual abuse or assault occurred within a time period that still allows for the collection of physical evidence, the facility ensures that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.” BSS is a 12-hour hold facility with the typical stay of approximately five hours. The detainee is either released from custody, transported for deportation, or remanded to an ICE detention facility. During interviews, the AFOD and SDDO/PSACM explained that the facility would also report any sexual abuse to the Broadview Police Department (BPD) with a significant incident report completed by the ICE staff and submitted to the PREA Field Coordinator, FOD, OPR, and DHS Office of Inspector General (OIG). The interviews further explained that based on current state legislation, specifically, the Illinois Trust Act, local law enforcement officials were required to end partnerships with ICE. As a result, the local law enforcement entity would most likely not respond to an incident nor are they at liberty to enter into any type of agreement with BSS. However, BSS continues to attempt maintaining a cordial working relationship with the local law enforcement but accordingly, OPR/OIG would handle any criminal investigations for BSS. As noted earlier in the report there are no medical services provided at BSS and the detainee would be sent to the Loyola University Medical Center (LUMC) where a forensic examination, if required, would be performed by a SANE, SAFE, or other qualified health care personnel. The Auditor verified through conversation with a representative of LUMC that victim advocacy services would be provided by an onsite advocate at the medical center. The AFOD indicated the facility would coordinate with community services or the closest ICE detention facility to ensure that the alleged detainee victim would be provided appropriate follow-up services or referrals, as needed if detained after returning from the offsite local hospital. The AFOD interview confirmed that if OPR elects not to investigate the allegation and the BPD does not conduct a criminal investigation, BSS would ensure an administrative investigation is completed by a trained investigator. If the detainee is released from ICE custody the investigation would continue. BSS provided the Auditor with documentation indicating they requested, in

writing, that the BPD follow the requirements of paragraphs (a) through (d) of this standard section, although after two attempts, they have received no response. The facility had no allegations reported during the audit period.

Corrective Action:

No corrective action needed.

§115.122 - Policies to ensure investigation of allegations and appropriate agency oversight

Outcome: Meets Standard

Notes:

(a)(b)(c)(d) The facility provided for compliance review Policy 11062.2, that requires, “the FOD shall ensure that the appropriate law enforcement agency having jurisdiction for the investigation has been notified by the facility administrator of the alleged sexual abuse or assault. The FOD shall notify the appropriate law enforcement agency directly if necessary; Notify ERO’s Assistant Director for Field Operations telephonically within two hours of the alleged sexual abuse or assault or as soon as practical thereafter, according to procedures outlined in the June 8, 2006 Memorandum from John P. Torres, Acting Director, Office of Detention and Removal Operations, regarding “Protocol on Reporting and Tracking of Assaults” (Torres Memorandum); Notify the ICE Joint Intake Center (JIC) telephonically within two hours of the alleged sexual abuse or assault, and in writing within 24 hours via the ICE [Significant Event Notification] SEN Notification Database, according to procedures outlined in the Torres Memorandum. The JIC shall notify the DHS Office of Inspector General (OIG). All sexual abuse and assault data collected pursuant to this Directive shall be maintained for at least 10 years after the date of initial collection, unless Federal, State, or local law requires otherwise.” As noted in standard 115.121 the notification process was explained by the AFOD, SDDO/PSACM, and PREA Field Coordinator. It was explained that the initial reports would be to the BPD with a SEN notification completed by the BSS ERO staff to the DHS OIG, JIC, Assistant Director for Field Operations, and PSA Coordinator all within the time frames required and outlined in the 11062.2 policy. A review of the ICE website (<http://www.ice.gov/PREA>) confirms the investigation protocols are available to the public. There were no sexual abuse allegations during the audit period.

(e) The facility provided for compliance review Policy 11062.2 which states, “The OPR shall coordinate with appropriate ICE entities and federal, state, or local law enforcement to facilitate necessary immigration processes that ensure availability of victims, witnesses, and alleged abusers for investigative interviews and administrative or criminal procedures, and provide federal, state, or local law enforcement with information about U nonimmigrant visa certification.” On July 1, 2022, the ICE PREA PM interviewed the Acting Section Chief of the OPR Directorate Oversight, and he confirmed that OPR Special Agents would provide the detainee victim of sexual abuse, that is criminal in nature, with timely access to U nonimmigrant status information. The OPR Acting Section Chief further stated that if an OPR investigation determined that a detainee was a victim of sexual abuse while in ICE custody, the assigned Special Agent would provide an affidavit documenting such in support of the detainees U nonimmigration visa application.

Corrective Action:

No corrective action needed.

§115.131 - Employee, contractor, and volunteer training**Outcome:** Meets Standard**Notes:**

(a)(b)(c) The facility provided for compliance review Policy 11062.2, that requires, “ICE personnel who may have contact with individuals in ICE custody, including all ERO officers and HSI special agents, shall receive training on, among other items ICE’s zero-tolerance policy for all forms of sexual abuse and assault; The right of detainees and staff to be free from sexual abuse or assault; Definitions and examples of prohibited and illegal behavior; Dynamics of sexual abuse and assault in confinement; Prohibitions on retaliation against individuals who report sexual abuse or assault; Recognition of physical, behavioral, and emotional signs of sexual abuse or assault, situations in which sexual abuse or assault may occur, and ways of preventing and responding to such occurrences, including: Common reactions of sexual abuse and assault victims; How to detect and respond to signs of threatened and actual sexual abuse or assault; Prevention, recognition, and appropriate response to allegations or suspicions of sexual abuse and assault involving detainees with mental or physical disabilities; How to communicate effectively and professionally with victims and individuals reporting sexual abuse or assault; How to avoid inappropriate relationships with detainees; Accommodating LEP individuals and individuals with mental or physical disabilities; Communicating effectively and professionally with lesbian, gay, bisexual, transgender, intersex, or gender nonconforming individuals, and members of other vulnerable populations; Procedures for fulfilling notification and reporting requirements under this Directive; The investigation process and the requirement to limit reporting of sexual abuse or assault to personnel with a need-to-know in order to make decisions concerning the victim’s welfare and for law enforcement or investigative purposes.” During interviews with the AFOD and SDDO/PSACM, all BSS staff received PREA training during their initial employment training and annually. The Auditor was provided current documentation from the ICE Training System (ITS) indicating that all 22 BSS staff were current on their PREA training. Additionally, the Auditor requested training records for the arresting ERO DO who was assigned to a different field office but regularly processes detainees at this facility. These training records were promptly provided upon request indicating the DO is current with the required PREA training. The interviews conducted with the AFOD and SDDO/PSACM confirmed that training records, noted in the (a)(b) discussion above, are maintained by the agency for at least five years. During the interviews with the six DOs, two SDDOs and the AFOD, each confirmed the subject matter of the training as required by the standard and displayed a competency of the topics. The Auditor also reviewed the ICE PREA Employee Training provided on the ERAU SharePoint and confirmed that all required topics are included. The BBS contracts with Paragon Systems, a private security company, to provide building and premises security; however, these contract staff do not have contact with detainees. The AFOD and SDDO/PSACM confirmed there are no volunteers who enter the BBS. Other contractors are escorted by the security personnel when onsite and have no detainee contact.

Corrective Action:

No corrective action needed.

§115.132 - Notification to detainees of the agency's zero-tolerance policy**Outcome:** Meets Standard**Notes:**

The facility provided for compliance review Policy 11087.1 that requires, "The FOD shall ensure that key information regarding ICE's zero-tolerance policy for sexual abuse and assault is visible or continuously and readily available to detainees (e.g., through posters, detainee handbooks, or other written formats)." The agency makes its zero-tolerance policy available publicly on its public website at <http://www.ice.gov/PREA>. During the site visit at BSS the Auditor observed one detainee being processed through the intake. Additionally, the processing DO and the SDDO/PSACM provided the Auditor with detailed overview of the intake process during their interviews. These interviews further explained that the ICE SAA pamphlet is available in 15 languages (Arabic, Bengali, Chinese, English, French, Haitian Creole, Hindi, Portuguese, Punjabi, Romanian, Russian, Spanish, Turkish, Ukrainian, and Vietnamese) and is provided to all detainee upon arrival during processing. Additionally, the BSS maintains and provides detainees with the ICE National Handbook available in 14 of the most prevalent languages encountered by ICE (English, Spanish, French, Haitian Creole, Punjabi, Hindi, Arabic, Simplified Chinese, Russian, Turkish, Bengali, Romanian, Portuguese, and Vietnamese). The Auditor observed both the SAA pamphlet and the ICE National Detainee Handbook in all available languages available for distribution as needed. In each of the six hold rooms the Auditor observed the ICE SAA pamphlet in both English and Spanish, the consulate contact list, and the DHS prescribed zero-tolerance posters. The Auditor interviewed the one detainee who had just been processed who confirmed that he was provided the SAA pamphlet during his initial intake interview by the DO and was told about the zero-tolerance for sexual abuse. Interviews with the SDDOs and DOs confirmed that detainees are provided an SAA pamphlet during their intake processing and that the posters are continuously displayed on the walls in locations where the detainees have access to include the six holding cells.

Corrective Action:

No corrective action needed.

§115.134 - Specialized training: Investigations**Outcome:** Meets Standard**Notes:**

(a)(b) The facility provided for compliance review Policy 11062.2 that requires, "OPR provide specialized training to OPR investigators who conduct investigations into allegations of sexual abuse and assault, as well as Office of Detention Oversight staff, and other OPR staff, as appropriate. The training should cover, at a minimum, interviewing sexual abuse and assault victims, sexual abuse and assault evidence collection in confinement settings, the criteria and evidence required for administrative action or prosecutorial referral, and information about effective cross-agency coordination in the investigation process." The lesson plan for this specialized training is the ICE OPR Investigating Incidents of Sexual Abuse and Assault, which covers in depth investigative techniques, evidence collections, and covers all aspects to conducting an investigation of sexual abuse in a confinement setting. The agency also offers another level of training, the PREA Fact Finders Training, which provides information needed to conduct the initial investigation at the facility to determine if an incident has taken place or to complete the administrative investigation. This training includes topics related to interacting with traumatized victims; best practices for interacting with LEP detainees; best practices for interacting with

Lesbian, Gay, Bi-sexual, Transgender, Intersex (LGBTI), and disabled detainees; and an overall view of the investigative process. Both trainings and documented evidence of training for ICE staff were available on the ERAU SharePoint for review by the Auditor. The AFOD advised the designated facility administrative investigator is the PREA Field Coordinator and that any investigation conducted at the facility would be performed by him or another trained investigator. During an interview with the PREA Field Coordinator he confirmed that he has received the required training and provided the Auditor with a copy of his training certificate. There were no allegations of sexual abuse at the BSS for the audit period.

Corrective Action:

No corrective action needed.

§115.141 - Assessment for risk of victimization and abusiveness

Outcome: Meets Standard

Notes:

(a)(b)(c)(d)(e) The facility provided for compliance review Policy 11087.1 that requires, “The FOD, ensure that before placing detainees together in a hold room, there shall be consideration of whether a detainee may be at a high risk of being sexually abused or assaulted, and, when appropriate, shall take necessary steps to mitigate any such danger to the detainee. The FOD shall ensure that detainees who may be held overnight with other detainees are assessed to determine their risk of being either sexually abused or assaulted or sexually abusive, to include being asked about their concerns for their physical safety. The FOD shall ensure that the following criteria are considered in assessing detainees for risk of sexual victimization, to the extent that the information is available: Whether the detainee has a mental, physical, or developmental disability; The age of the detainee; The physical build and appearance of the detainee; Whether the detainee has previously been incarcerated or detained; The nature of the detainee's criminal history; Whether the detainee has any convictions for sex offenses; Whether the detainee has self-identified as Lesbian, Gay, Bisexual, Transgender, or intersex (LGBTI) or gender nonconforming; Whether the detainee has self-identified as previously experiencing sexual victimization; and the detainee's own concerns about his or her physical safety. The FOD shall implement appropriate controls on the dissemination of any sensitive information regarding a detainee provided pursuant to screening procedures. For detainees identified as being at high risk for victimization, the FOD shall provide heightened protection, including continuous direct sight and sound supervision, single-housing, or placement in a hold room actively monitored on video by a staff member sufficiently proximate to intervene, unless no such option is feasible.” As noted earlier, BSS detainees are held for five hours or less and never overnight. The SDDO/PSACM and DO interviews about the intake process indicated all detainees arriving at BSS are screened utilizing the Risk Classification Assessment (RCA) form. The assessment is a computerized program that addresses specific vulnerabilities including whether the detainee has any concerns for their safety, concerns based on their sexual orientation, any instances of prior persecution or torture, a victim of sexual abuse or a violent crime. The processing DO uses information received through this document and any other information they may have available, including interviewing the detainee about their own safety concerns, to determine their potential for victimization or abusiveness. If the processing DO believes the individual may be at high risk of being victimized or has an abuse history, they are placed on direct supervision in a separate hold room. As previously noted, each of the hold rooms (b) (7)(E) which can also be monitored. Interviews conducted with the ICE ERO staff confirmed information obtained during the intake process is not shared with anyone except on a need-to-know basis. Paper

copies of the RCA form are kept secured under lock and key and the computer files are password protected and accessible by only those individuals with a need for this information.

Corrective Action:

No corrective action needed.

§115.151 - Detainee reporting

Outcome: Meets Standard

Notes:

(a)(b)(c) The facility provided for compliance review Policy 11087.1, that requires “the FOD ensure that detainees are provided instructions on how they can privately report incidents of sexual abuse or assault, retaliation for reporting sexual abuse or assault, or staff neglect or violations of responsibilities that may have contributed to such incidents to ERO personnel. The FOD shall implement procedures for personnel to accept reports made verbally, in writing, anonymously, and from third parties and promptly document any verbal reports. The FOD shall ensure that detainees are provided with instructions on how they can contact the DHS Office of the Inspector General (OIG) or, as appropriate, another public or private entity which is able to receive and immediately forward detainee reports of sexual abuse or assault to agency officials to confidentially and, if desired, anonymously, report these incidents.” Detainees processed at the BSS are informed through the SAA pamphlet specifically about reporting allegations of sexual assault during intake. During the onsite tour of the intake area and six hold rooms, the Auditor observed telephones and postings in English and Spanish providing telephone numbers for the DHS OIG, Detention Reporting and Information Line (DRIL), and consulate offices. The Auditor tested the DHS OIG telephone line on a randomly selected hold room telephone and was able to complete the call. The instructions for detainees include a method for making a call without inputting their PIN. The interviews with the BSS staff confirmed that each would accept any allegation of sexual assault and report them immediately no matter how it was received and that all verbal allegations would be put in writing by the end of their shift. There were no allegations reported at the BSS during the audit period. The detainee interviewed confirmed he was aware of how to report allegations of sexual abuse and was aware of how to access the hotline, if needed.

Corrective Action:

No corrective action needed.

§115.154 - Third-party reporting

Outcome: Meets Standard

Notes:

The facility provided for compliance review Policy 11087.1, that requires, “the FOD implement procedures for personnel to accept reports made verbally, in writing, anonymously, and from third parties and promptly document any verbal reports.” Interviews conducted with the ICE ERO staff confirmed they are aware to accept all third-party reports of sexual abuse and document those received verbally in writing. The agency has established a method to receive third party reports of sexual abuse and it can be found on the ICE website at <http://www.ice.gov/PREA>. The DHS OIG poster was observed by the Auditor posted in the Attorney/Detainee Visitation Area. There were no allegations of sexual abuse reported during the audit period.

Corrective Action:

No corrective action needed.

§115.161 - Staff reporting duties**Outcome:** Meets Standard**Notes:**

(a)(b)(c) The facility provided for compliance review Policy 11062.2, that requires,” All ICE employees immediately report to a supervisor or a designated official any knowledge, suspicion, or information regarding an incident of sexual abuse or assault of an individual in ICE custody, retaliation against detainees or staff who reported or participated, about such an incident, and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. ICE employees shall not reveal any information related to a sexual abuse or assault allegation to anyone other than to the extent necessary to help protect the safety of the victim or prevent further victimization of other detainees or staff, or to make medical treatment, investigation, law enforcement, or other security and management decisions.” The interviews conducted with the ICE ERO staff at BSS confirmed awareness of their responsibility to immediately report all incidents of sexual assault, sexual abuse, retaliation, and staff neglect of duties that may have contributed to any sexual abuse or sexual assault. These staff also informed the Auditor about their responsibility to immediately report all allegations of sexual abuse to their supervisor and document the known facts to them in writing as soon as possible but prior to the end of their shift, as well as their obligation to not disclose any information that they become aware of except on a need-to-know basis. The BSS staff were also knowledgeable of their ability to report outside their chain of command, as provided in their training if necessary. If needed, staff may report directly to the PREA Field Coordinator or utilize the DRIL or DHS OIG reporting lines. There were no allegations reported at the facility during the audit period.

(d) The facility provided for compliance review Policy 11062.2, that requires, “If the alleged victim is under the age of 18 or determined, after consultation with the relevant OPLA Office of the Chief Counsel (OCC), to be a vulnerable adult under a State or local vulnerable persons statute, report the allegation to the designated State or local services agency as necessary under applicable mandatory reporting laws; and document his or her efforts taken under this section.” As noted earlier in this report BSS does not accept juvenile detainees. The interview with the AFOD acknowledged her reporting obligations under this subpart. She indicated if a vulnerable adult was ever the victim of sexual abuse at the BSS, she would contact the relevant ICE OPLA OCC office and report the allegation. She also confirmed her requirement to report the allegations to the designated State or local services agency as required by mandatory reporting laws and policy of the State of Illinois. BSS had no incidents involving a vulnerable adult, as there were no allegations reported at the facility during the audit period.

Corrective Action:

No corrective action needed.

§115.162 - Agency protection duties**Outcome:** Meets Standard**Notes:**

The facility provided for compliance review Policy 11062.2 that requires, “If an ICE employee has a reasonable belief that a detainee is subject to a substantial risk of imminent sexual abuse or assault, he or she shall take immediate action to protect the detainee.” The interviews conducted with the BSS staff confirmed that where it was believed a detainee may be subject to substantial risk of sexual abuse their first response would be to secure the detainee in a safe location and notify their supervisor. The AFOD and SDDO/PSACM confirmed BSS had no instances where a detainee was at substantial risk of sexual abuse during the audit period.

Corrective Action:

No corrective action needed.

§115.163 - Reporting to other confinement facilities**Outcome:** Meets Standard**Notes:**

(a)(b)(c)(d) The facility provided for compliance review Policy 11062.2, that requires, “If the alleged assault occurred at a different facility from the one where it was reported, ensure that the administrator at the facility where the assault is alleged to have occurred is notified as soon as possible, but no later than 72 hours after receiving the allegation, and document such notification.” The interviews with the AFOD and SDDO/PSACM confirmed that when the facility receives information on any allegation occurring at another facility, the SDDO would be notified and would make notification to the appropriate agency office or facility administrator, within 72 hours by phone call and email, of the alleged incident. These interviews also confirmed that BSS had no such reported incidents during the audit period, but the facility would follow the policy to make the required notifications if they were ever notified of any such incident. The AFOD explained that if the BSS received an allegation from another facility of sexual abuse that was alleged to have occurred at BSS, the incident would be referred for investigation under the procedural guidelines outlined in policy 11062.2. The BSS received no reports from another facility of an allegation occurring at this facility during the audit period.

Corrective Action:

No corrective action needed.

§115.164 - Responder duties**Outcome:** Meets Standard**Notes:**

(a) The facility provided for compliance review Policy 11087.1, that requires, “The FOD shall ensure that upon learning of an allegation that a detainee was sexually abused or assaulted, the responder, or his or her supervisor: separates the alleged victim and abuser; preserves and protects, to the greatest extent possible, any crime scene until appropriate steps can be taken to collect any evidence; if the sexual abuse or assault occurred within a time period that still allows for the collection of physical evidence, requests the alleged victim not to take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and if the sexual abuse or assault occurred within a time

period that still allows for the collection of physical evidence, ensures that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.” The Auditor interviewed six DOs who were proficient in explaining their responsibilities and the steps they would take as a first responder. Their responses coincided with the subpart (a) requirements of separating the alleged victim and abuser; preserving and protecting, to the greatest extent possible, any crime scene until appropriate steps can be taken to collect any evidence; if the sexual abuse or assault occurred within a time period that still allows for the collection of physical evidence, requesting the alleged victim not to take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and if the sexual abuse or assault occurred within a time period that still allows for the collection of physical evidence, ensuring that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Staff interviewed were well trained and informed on ensuring the safety and well-being of detainee victims of sexual assault.

(b) BSS has one non-law enforcement staff working at the facility. During her interview she explained her first responder responsibilities which are to request the alleged victim not take any actions that could destroy physical evidence and then notify law enforcement staff.

Corrective Action:

No corrective action needed.

§115.165 - Coordinated response

Outcome: Meets Standard

Notes:

(a)(b)(c) The facility provided for compliance review Policy 11062.2, that requires, “The FOD ensure a coordinated, multidisciplinary team approach to respond to allegations of sexual abuse and assault occurring in holding facilities, or in the course of transit to or from holding facilities, as well as to allegations made by a detainee at a holding facility of sexual abuse or assault that occurred elsewhere in ICE custody. If a victim is transferred between detention facilities or holding facilities, or to any non-ICE facility, ensure that, as permitted by law, the receiving facility is informed of the incident and the victim’s potential need for medical or mental health care or victim services.” The Auditor was provided and reviewed an ERO Assistant Director's broadcast notifying ERO Field Offices that when sexual abuse victims are transferred to a facility not covered by DHS PREA Standards Subpart A or B from a DHS holding facility, the agency shall, as permitted by law, inform the receiving facility of the incident and the victim's potential need for medical or social services, unless the victim requests otherwise. The AFOD confirmed that her notification of all sexual abuse allegations would be through the SEN procedures to include notifications to the OIG, JIC, Assistant Director for Field Operations, PSA Coordinator, PREA Field Coordinator, and the BPD about a possible criminal investigation. She also stated that any transfer of a detainee sexual assault victim would be handled in accordance with policy and the ERO Assistant Director's broadcast. The facility had no allegations of sexual abuse during the audit period.

Corrective Action:

No corrective action needed.

§115.166 - Protection of detainees from contact with alleged abusers**Outcome:** Meets Standard**Notes:**

The facility provided for compliance review Policy 11062.2 that requires, “that an ICE employee, facility employee, contractor, or volunteer suspected of perpetrating sexual abuse or assault is removed from all duties requiring detainee contact pending the outcome of an investigation.” The AFOD confirmed that currently there are no contractors who have contact with detainees or volunteers at the BSS. She also stated that any ERO staff member alleged to have committed sexual abuse would be removed from all detainee contact until the conclusion of the investigation. The BSS had no allegations of sexual abuse during the audit period.

Corrective Action:

No corrective action needed.

§115.167 - Agency protection against retaliation**Outcome:** Meets Standard**Notes:**

The facility provided for compliance review Policy 11062.2 that requires, “employees not retaliate against any person, including a detainee, who reports, complains about, or participates in an investigation into an allegation of sexual abuse or assault, or for participating in sexual activity as a result of force, coercion, threats, or fear of force.” The AFOD informed the Auditor that any form of retaliation against staff or detainee who reports, complains about, or participates in an investigation into an allegation of sexual abuse, or for participating in sexual activity as a result of force, coercion, threats, or fear of force would not be tolerated. The six DO and two SDDO interviews confirmed their knowledge and understanding of this policy prohibition of retaliation against any person, including a detainee. There were no allegations of sexual abuse or retaliation reported during the audit period.

Corrective Action:

No corrective action needed.

§115.171 - Criminal and administrative investigations**Outcome:** Meets Standard**Notes:**

(a)(b)(c) The facility provided for compliance review Policy 11062.2, that requires, the “FOD shall conduct a prompt, thorough, and objective investigation by qualified investigators. The FOD is also required to ensure that the facility complies with the investigation mandates established by the PBNDS 2.11, as well as other relevant detention standards. Upon conclusion of a criminal investigation where the allegation was substantiated, or in instances where no criminal investigation has been completed, an administrative investigation shall be conducted. Upon conclusion of a criminal investigation where the allegation was unsubstantiated, the facility shall review any available completed criminal investigation reports to determine whether an administrative investigation is necessary or appropriate. Substantiated allegation means an allegation that was investigated and determined to have occurred. Unsubstantiated allegation means an allegation that was investigated, and the investigation produced insufficient evidence to make a final determination as to whether the event

occurred. Administrative investigations shall be conducted after consultation with the appropriate investigative office within DHS, and the assigned criminal investigative entity. The ICE OPR will typically be the appropriate investigative office within DHS, as well as the DHS OIG in cases where the DHS OIG is investigating. The facility shall develop written procedures for administrative investigations, including provisions requiring; preservation of direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data, interviewing alleged victims, suspected perpetrators, and witnesses, reviewing prior complaints and reports of sexual abuse involving the suspected perpetrator, assessment of the credibility of an alleged victim, suspect, or witness, without regard to the individual's status as detainee, staff, or employee, and without requiring any detainee who alleges sexual abuse to submit to a polygraph, an effort to determine whether actions or failures to act at the facility contributed to the abuse, documentation of each investigation by written report, which shall include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings, and retention of such reports for as long as the alleged abuser is detained or employed by the agency or facility, plus five years." The policy also requires that the OPR coordinate with the FOD or SAC and facility staff to, "...ensure evidence is appropriately secured and preserved pending an investigation by federal, state, or local law enforcement, DHS, OIG, and/or OPR." The AFOD detailed the investigative process at the BSS for the Auditor. She stated that upon the facility receiving any allegation of sexual abuse the detainee would be separated and secured pending movement to the LUMC. Notifications would be made to the PREA Field Coordinator, BPD, FOD, OPR, and DHS OIG of the significant incident at the facility. As noted earlier in the report detainees remain at BSS in ICE custody for about five hours and are either released, deported, or transferred to an ICE detention facility. The AFOD further stated that ICE OPR would have first refusal for conducting the sexual abuse investigation. If OPR elects not to investigate the allegation and refers it back to the facility, the facility would ensure that an administrative investigation would be completed by a specially trained SDDO. The Auditor also interviewed the PREA Field Coordinator who is the designated facility administrative investigator who explained these investigative procedures aligning with Policy 11062.2. As noted in 115.134, the PREA Field Coordinator has completed the required investigations training. There were no allegations of sexual abuse during the audit period.

(d) The facility provided for compliance review Policy 11062.2, that requires, "An investigation may not be terminated solely due to the departure of the alleged abuser or victim from the employment or control of ICE." The AFOD and PREA Field Coordinator informed the Auditor that an investigation of sexual abuse is completed regardless of whether the detainee or staff member has left the control of the agency. The facility had no allegations of sexual abuse during the audit period.

(e) The facility provided for compliance review Policy 11062.2, that requires, "When outside agencies investigate sexual abuse or assault, cooperate with law enforcement agencies, OPR, and other outside investigators and endeavor to remain informed about the progress of the investigation, and ensure that detention facilities do the same." The AFOD and PREA Field Coordinator confirmed that BSS would cooperate with all investigative agencies and remain informed and cooperate, to the extent possible, with all investigative entities. The facility had no allegations of sexual abuse during the audit period.

Corrective Action:

No corrective action needed.

§115.172 - Evidentiary standards for administrative investigations**Outcome:** Meets Standard**Notes:**

The facility provided for compliance review Policy 11062.2, that requires, “Administrative Investigations impose no standard higher than a preponderance of the evidence to substantiate an allegation of sexual abuse or assault, and may not be terminated solely due to the departure of the alleged abuser or victim from the employment or control of ICE.” Interviews with the AFOD and PREA Field Coordinator confirmed that the trained investigators base administrative case findings on a preponderance of evidence. The facility had no allegations of sexual abuse during the audit period.

Corrective Action:

No corrective action needed.

§115.176 - Disciplinary sanctions for staff**Outcome:** Meets Standard**Notes:**

(a)(c)(d) The facility provided for compliance review Policy 11062.2, that requires, “Upon receiving notification from a FOD or SAC of the removal or resignation in lieu of removal of staff, for violating agency or facility sexual abuse and assault policies, the OPR will report that information to appropriate law enforcement agencies, unless the activity was clearly not criminal; and make reasonable efforts to report that information to any relevant licensing bodies, to the extent known.” Based on an interview with the AFOD, any staff member would be subject to disciplinary or adverse action up to and including removal from their position and the Federal service for substantiated allegations of sexual abuse or violating agency sexual abuse policies. She also stated that no staff member at the BSS has been disciplined for any violation of the zero-tolerance policy and that there were no allegations of sexual abuse reported during the audit period. The AFOD further confirmed that all substantiated sexual abuse allegations would be reported to the BPD, and every effort would be made to notify any licensing agencies in all cases of substantiated allegations as required by policy.

Corrective Action:

No corrective action needed.

§115.177 - Corrective action for contractors and volunteers**Outcome:** Meets Standard**Notes:**

(a)(b) The facility provided for compliance review Policy 11062.2 that requires, “an ICE employee, facility employee, contractor, or volunteer suspected of perpetrating sexual abuse or assault is removed from all duties requiring detainee contact pending the outcome of an investigation.” The AFOD confirmed BSS currently has no volunteers or contract staff who have contact with detainees. She further explained if that status were to change, any contractor or volunteer who is the subject of an allegation of sexual abuse would be removed from all duties involving detainee contact until the outcome of the investigation. She also stated that all sexual abuse allegations are reported to the BPD, and every effort would be made to notify any licensing agencies of substantiated sexual abuse.

Corrective Action:

No corrective action needed.

§115.182 - Access to emergency medical services**Outcome:** Meets Standard**Notes:**

(a)(b) The facility provided for compliance review Policy 11087.1, that requires, "The FOD shall ensure that detainee victims of sexual abuse or assault have timely, unimpeded access to emergency medical and mental health treatment and crisis intervention services, including emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care." Policy 11062.2 requires, "that such treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation." BSS has no medical or mental health staff assigned to the facility. Detainees requiring any such services would be sent to LUMC. The interview with a medical center representative confirmed detainee victims of sexual assault would be accepted at their facility. The AFOD and PREA Field Coordinator confirmed during interviews that all medical or mental health treatment would be at no cost to the detainee. Further, they explained that a detainee victim of sexual abuse would be provided a medical plan coordinated through (ICE Health Service Corps (IHSC) either virtually or by phone before release. There were no allegations at the facility during the audit period.

Corrective Action:

No corrective action needed.

§115.186 - Sexual abuse incident reviews**Outcome:** Meets Standard**Notes:**

(a) The facility provided for compliance review Policy 11087.1, that requires, "The FOD shall conduct a sexual abuse and assault incident review at the conclusion of every investigation of sexual abuse or assault occurring at a holding facility and, unless the allegation was determined to be unfounded, prepare a written report recommending whether the allegation or investigation indicates that a change in policy or practice could better prevent, detect, or respond to sexual abuse and assault. Such review shall ordinarily occur within 30 days of ERO's receipt of the investigation results from the investigating authority. The FOD shall implement the recommendations for improvement, or shall document its reasons for not doing so, in a written justification. Both the report and justification shall be forwarded to the ICE PSA Coordinator." The AFOD, SDDO/PSACM, and PREA Field Coordinator confirmed that at the conclusion of every allegation of sexual abuse an incident review would be completed in accordance with the agency 11087.1 policy. There were no allegations at the facility during the audit period.
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Corrective Action:

No corrective action needed.

§115.187 - Data collection**Outcome:** Meets Standard**Notes:**

(a) The facility provided for compliance review Policy 11062.2, that requires, “Data collected pursuant to this Directive shall be securely retained in accordance with agency record retention policies and the agency protocol regarding investigation of allegations. All sexual abuse and assault data collected pursuant to this Directive shall be maintained for at least 10 years after the date of initial collection, unless Federal, State, or local law requires otherwise.” The AFOD, PREA Field Coordinator, and the SDDO/PSACM confirmed that all case records, supporting documentation and confidential information collected is maintained securely either in a locked filing cabinet with restricted access or electronically with limited user access. The Auditor was shown the area where these records and documents are maintained. The facility had no allegations of sexual abuse during the audit period.

Corrective Action:

No corrective action needed.

§115.193 - Audits of standards**Outcome:****Notes:**

This is the second audit for the BSS. The physical layout of the facility and the staff supervision, (b) (7)(E) provide a safe environment for detainees and staff. The length of stay for detainees at this facility is approximately five hours, and detainees are rarely held at the facility overnight. The facility had no allegations of sexual abuse reported within the audit period. The Auditor determined this facility qualifies for low risk.

Corrective Action:**§115.201 - Scope of Audits****Outcome:** Meets Standard**Notes:**

(d)(e)(i)(j) The Auditor was provided full access to the BSS without restriction. Necessary documentation, including those collected onsite, was provided in a timely manner. The Auditor was able to conduct all interviews in a private setting, without interruption. Space for interviews was provided allowing for private interviews and access to a phone for interpretive services. Audit notices in English, Spanish, Punjabi, Hindi, Simplified Chinese, Portuguese, French, Haitian Creole, Bengali, Arabic, Russian, and Vietnamese were observed by the Auditor posted in each holding room and in various public and private areas of the facility advising detainees and other interested parties they were permitted to send confidential information or correspondence to the Auditor; however, the Auditor received no correspondence from any detainee, staff, or other party.

Corrective Action:

No corrective action needed.

AUDITOR CERTIFICATION:

I certify that the contents of the report are accurate to the best of my knowledge and no conflict of interest exists with respect to my ability to conduct an audit of the agency under review. I have not included any personally identified information (PII) about any detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.

Sharon Shaver

8/29/2023

Auditor's Signature & Date

8/29/2023

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

Program Manager's Signature & Date

8/29/2023

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

Assistant Program Manager's Signature & Date

EXHIBIT 4

PREA Audit: Subpart B
DHS Immigration Detention Facilities
PREA Audit Report



**Homeland
Security**

AUDITOR INFORMATION

Name of auditor:	Joseph W. Ehrhardt	Organization:	Creative Corrections, LLC
Email address:	(b) (6), (b) (7)(C)	Telephone number:	(b) (6), (b) (7)(C)

AGENCY INFORMATION

Name of agency:	U.S. Immigration and Customs Enforcement
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FIELD OFFICE INFORMATION

Name of Field Office:	Chicago Field Office
ICE Field Office Director:	Ricardo A. Wong
PREA Field Coordinator:	SDDO Keith Taylor
Field Office HQ physical address:	101 West Congress Parkway, Chicago, IL 60605
Mailing address: (if different from above)	Same as above

INFORMATION ABOUT THE FACILITY BEING AUDITED

Basic Information About the Facility			
Name of facility:		Broadview Service Staging Area	
Physical address:		1930 Beach Street, Broadview, IL 60155	
Mailing address: (if different from above)		Same as above	
Telephone number:		708-449-6722	
Facility type:		ICE Staging Facility	
Facility Leadership			
Name of Officer in Charge:		(b) (6), (b) (7)(C)	Title:
Email address:		(b) (6), (b) (7)(C)	Telephone number
(b) (6), (b) (7)(C)			
Facility PSA Compliance Manager			
Name of PSA Compliance Manager:		Keith T. Taylor	Title:
Email address:		(b) (6), (b) (7)(C)	Telephone number
		(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)

AUDIT FINDINGS**NARRATIVE OF AUDIT PROCESS AND DESCRIPTION OF FACILITY CHARACTERISTICS:**

Directions: Discuss the audit process to include the date of the audit, names of all individuals in attendance, audit methodology, description of the sampling of staff and detainees interviewed, description of the areas of the facility toured, and a summary of facility characteristics.

A Prison Rape Elimination Act (PREA) on-site audit of the U.S. Immigration and Enforcement (ICE) operated Broadview Service Staging Area (BSSA) was conducted on September 10-11, 2018 by Joseph W. Ehrhardt, certified PREA Auditor contracted through Creative Corrections, LLC of Beaumont, Texas. This was the first PREA audit for BSSA. BSSA is a very short-term staging facility (Subpart B) operated by the ICE – Chicago Field Office in Broadview, Illinois. The facility has a designed capacity of 236 detainees and accepts both male and female adults. No juveniles are held at the facility. The purpose of the facility is to receive, process, and prepare detainees for transport to other detention facilities, release, or re-patriation. The purpose of the audit was to determine compliance with the Department of Homeland Security (DHS) PREA standards.

The point of contact established for BSSA was through the External Reviews and Analysis Unit (ERAU) Team Lead (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) provided the completed Pre-Audit Questionnaire (PAQ), along with supporting documents on the secure ERAU SharePoint website approximately two-weeks prior to the on-site portion of the audit. Pre-audit preparation included a thorough review of all documentation and supportive materials provided by the Team Lead along with the data included in the PAQ. Telephonic interviews were conducted with available OPR staff. In addition, an on-line search was conducted of public records pertaining to the operation of BSSA. The documentation received included agency Directive ICE 11062.2: Sexual Abuse and Assault Prevention and Intervention (May 22, 2014), ICE Policy 11087.1: Operations of Enforcement and Removal Operations (ERO) Holding facilities, training curricula, investigative protocols, and procedures and the ICE National Detainee Handbook.

An entry briefing, led by the ERAU Team Lead (b) (6), (b) (7)(C), who was present in substitution for (b) (6), (b) (7)(C), was conducted shortly after arrival at the facility on day one of the on-site review. Those present at the entry-brief were:

ERAU Team Lead (b) (6), (b) (7)(C)
ICE Assistant Field Office Director (AFOD) (b) (6), (b) (7)(C)
ICE Supervisory Deportation and Detention Officer (SDDO) (b) (6), (b) (7)(C)
Creative Corrections Certified PREA Auditor Joseph Ehrhardt

Introductions were given and the Auditor provided a tentative schedule and overview of the audit process.

Immediately following the entry-briefing, the AFOD and SDDO led the Auditor and the ERAU Team lead on a tour of the facility. At the request of the Auditor, the tour followed the path of a detainee's admission to the facility; from the sally port, to the frisk search, to temporary holding, to processing, to holding pending transport.

BSSA is operated in a suburban industrial park about 15 miles west of Lake Michigan and downtown Chicago. The facility is a rectangular masonry warehouse, which has been retrofitted with both internal and external correctional fixtures (b) (7)(E)

The facility has a mezzanine which accommodates the staff break/conference/muster room. There is no access to this area by detainees. The secure stairway is behind a locked door and adjacent to a locked vault and staff office.

There is a receiving/processing/detention area that is adjacent to the sally port which encompasses one-half of the building. Only sworn ICE Deportation and Detention Officers (DDO) work in this area. In this area are three male holding areas (two large and one medium-sized) and a medium-sized female holding cell. The medium cells have one toilet and sink, several institutional cushion chairs and a telephone. The one large male cell has three toilets and the other has two toilets and two showers. Currently, no detainees are held beyond 12 hours and showering is not occurring at BSSA. Both large cells have the large cushion chairs and telephones. At the Auditor's request, the telephone in the male medium holding cell was operated by the SDDO and DHS OIG was contacted anonymously and without need for payment. There are also two isolation cells, each with a sink and toilet. Only one is currently in use. The other is being used for storage as it is currently not needed. Outside the detention cells which ring the exterior half of the building is an open frisk search area and 21 partitioned booths where ICE processing staff can interview detainees. These interviews follow a quick intake performed adjacent to the processing area and the frisk search. No detainee is placed in a holding cell without being pat frisked. The intake (R & D) area is adjacent to a locked property room. There is also a medical office and a private interview room with windows where private interviews and mental health examinations may take place as ordered by the Immigration Judge and are performed by clinicians who travel to BSSA. This is where detainee interviews took place. Next to the medical office is the command center (b) (7)(E). The command center contains (b) (7)(E) video monitors (b) (7)(E).

There are normally (b) (7)(E) contractor security officers on each shift. (b) (7)(E) They have no professional contact with the detainees.

On the opposite side of the building is a large office area containing twenty-five cubicles and four offices, where fugitive teams, detention officers, and supervisory staff can access detainee data and prepare reports as necessary.

Finally, adjacent to the secure entry lobby is a visiting room with booths to accommodate legal/public visitation.

BSSA processed nine detainees on September 10, 2018 and 26 on September 11, 2018. In the preceding 12 months, BSSA processed 3,635 detainees with an average daily population of 9.9 detainees. The average time in custody is 12 hours.

All required PREA postings and Audit Notices were posted in both holding cells, processing areas, and corridors in both English and Spanish. The Auditor has received no correspondence from detainees, detainee family members or the public regarding concerns at BSSA to date.

SUMMARY OF OVERALL FINDINGS:

Directions: Discuss audit findings to include a summary statement of overall findings and the number of provisions which the facility has achieved compliance at each level: Exceeds Standard, Meets Standard, and Does Not Meet Standard.

On Tuesday, September 11, 2018, an exit briefing was conducted following the onsite audit at Broadview Service Staging area (BSSA). The exit brief was opened by ERAU Team Lead (b) (6), (b) (7)(C) and turned over to the Auditor for an overview of the on-site findings recommendations and close-out summary. Those in attendance at the briefing were:

ERAU Team Lead (b) (6), (b) (7)(C)
 ICE Assistant Field Office Director (AFOD) (b) (6), (b) (7)(C)
 ICE Supervisory Deportation and Detention Officer (b) (6), (b) (7)(C)
 Creative Corrections Certified PREA Auditor Joseph Ehrhardt

During the Exit Briefing, the Auditor discussed the observations regarding the operation of BSSA in accordance with the DHS PREA regulations. The Auditor observed a positive atmosphere where detainees were treated with appropriate care and respect and where the safety of all persons in the facility was paramount. Administrative and management staff work side-by-side with the DDOs and detainees and often engaged in conversation with detainees. Detainees are physically escorted at all times by at least (b) (6), (b) (7)(C) DDO and within eyesight of at least (b) (6), (b) (7)(C) other DDO. There was no instance when the Auditor witnessed unescorted detainees.

All pat frisk searches are performed outside the detainees clothing and in full sight of all officers in the processing area. Cross-gender pat-frisk searches are conducted only in exigent circumstances and always with (b) (6), (b) (7)(C) staff member present. All of ten detainees interviewed reported that the pat frisk search that they received upon admission to the facility was appropriately performed. This Auditor observed more than a dozen pat frisk searches performed by multiple personnel during the two-day period and had no concerns with what was witnessed.

The Auditor had two opportunities to witness operations in the Control Room and to review log entries. (b) (7)(E). BSSA has installed "pull-across" partitions in front of all detainee toilets which provide privacy to detainees when toileting. (b) (7)(E) previously allowed partial viewing was occluded with dark tape. * See recommendations. Detainees never shower at BSSA because the facility closes for the day before evening showers would take place. It should be noted that there is normally (b) (6), (b) (7)(C) contractor security officer and (b) (6), (b) (7)(C) DDO in the Control Room monitoring both detainee safety and the physical security of the facility.

Because of the very short tenure of a detainee's stay at BSSA and most detainees arriving at BSSA are arriving as pre-processed detainees, intake processing is brief and often involves a quick review of the detainee record. The Auditor witnessed this process and was able to review the interview process of a new detainee coming in from the street.

During the complete audit process, the Auditor had the opportunity to interview 10 detainees (27%), (b) (6), (b) (7)(C) DDOs (62%), (b) (6), (b) (7)(C) SDDOs (66%), the local AFOD, the Field PREA Coordinator, staff from the Headquarters (HQ) PREA Coordinator and OPR. All relevant HQ documents were reviewed pre-audit and the facility's operating procedure binder was carefully reviewed on day two of the on-site audit.

The Auditor completed the audit process using a triangular approach to analyzing the documents reviewed, interviews conducted and operational observations made. The review of 30 PREA standards resulted in one standard having been exceeded (115.131); 27 standards being met (115.111; 115.115; 115.116; 115.117; 115.118; 115.121; 115.122; 115.132; 115.134; 115.141; 115.151; 115.154; 115.161; 115.162; 115.163; 115.164; 115.165; 115.166; 115.167; 115.171; 115.172; 115.176; 115.177; 115.182; 115.186; 115.187 and 115.201; one standard being non-applicable (115.114); and one standard not being met (115.113), requiring corrective action. No written annual review of staffing needs was performed by BSSA. Such a review is required for compliance with 115.113 (b) and corrective action shall be required.

In addition to the Corrective Action Plan required for 115.113, the Auditor made two recommendations to the facility:

- 1) BSSA should consider removing the tape which currently blocks the viewing of detainees using the toilet in the male holding cell and have the camera digitally pixelated to permanently resolve a potential violation if the tape were to fall off or be removed.
- 2) BSSA should consider the re-training of all detention staff servicing the Chicago Field Office on First Responder duties. While all supervisory staff and the preponderance of DDOs were immediately aware of their duties, there were a few DDO staff interviewed who were unsure and required significant prompting.

The Auditor recognizes the cooperation and openness of the staff and administration at BSSA, from the staff of the Chicago Field Office and from the ICE Headquarters staff.

SUMMARY OF AUDIT FINDINGS

Number of standards exceeded:	1
Number of standards met:	27
Number of standards not met:	1
Number of standards N/A:	1

PROVISIONS

Directions: In the notes, the auditor shall include the evidence relied upon in making the compliance or non-compliance determination for each provision of the standard, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Corrective Action Plan Final Determination, accompanied by information on specific corrective actions taken by the facility. Failure to comply with any part of a standard provision shall result in a finding of "Does not meet Standard" for that entire provision, unless that part is specifically designated as Not Applicable. For any provision identified as Not Applicable, provide an explanation for the reasoning. If additional space for notes is needed, please utilize space provided on the last page.

§115.111 – Zero tolerance of sexual abuse; Prevention of Sexual Assault Coordinator.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a) BSSA meets the standard provision. ICE Directive 11062.2 No.2 details the agency's mandate of zero tolerance for all forms of sexual abuse and outlines the agency's approach to preventing, detecting and responding to allegations of sexual abuse. Interviews with all DDOs and SDDOs, plus all detainees but two, and (b) (7)(E) contract staff verified a strong understanding of the agency's zero tolerance policy.

§115.113 – Detainee supervision and monitoring.

Outcome: Does not Meet Standard (requires corrective action)

Notes:

(a) The facility meets the standard provision. The agency has reduced the flow of detainees into BSSA in the past 12 months. ICE Policy 11087.1-4.11-4) sets clear guidelines for detainee supervision and these guidelines were observed to be in practice. While there is no minimum staffing requirement, the policy requires that the FOD ensure that there are adequate staff to provide "sufficient" supervision of detainees. The current average daily population is 9.9 detainees with a current sworn officer roster of (b) (7)(E). The Field PREA Coordinator confirmed that staffing levels can be maintained through the reassignment of Field Office staff. No records were available for daily BSSA staff attendance during the audit period. The facility has the flexibility to bring other officers from the Fugitive Team into the facility to assist when special circumstances exist. Observations by the Auditor illustrated that no DDO handled detainees are out of the eyesight of at least (b) (7)(E) other DDO and in the majority of detainee movements, there were an average of (b) (7)(E) DDOs in sight/sound proximity with continuous video coverage and monitoring.

(b) The facility does not meet the standard provision. While BSSA has developed comprehensive detainee supervision guidelines, the annual review has not taken place since 2016. Interviews with the AFOD, the SDDO, and the PREA Field Coordinator indicate that the facility has been advised by ICE HQ that the yearly review is not required and ICE HQ will not entertain it. Corrective Action is required. Unless the standards are amended to relieve this requirement, BSSA shall complete the required annual review of the detainee supervision guidelines.

(c) The facility meets the standard provision. Interviews with the AFOD, the SDDO and the PREA Field Coordinator reinforce that BSSA follows ICE Policy 11087.1-4.11-4). The AFOD reported that a deliberate reconfiguration of detainee holding practices was enacted in 2017 to reduce the detainee hold load at BSSA from a detainee hold load that previously exceeded 100 detainees regularly at least one day per week, to a maximum hold load of 40 detainees at one time. Daily hold records were not available for review by the Auditor when requested, but the PAQ completed by the SDDO indicated a total of 3,635 detainees in the prior 12 months, which provides an average daily hold of 9.9 detainees. Interviews with both the SDDO and the PREA Field Coordinator placed the highest supervision ration at (b) (7)(E).

§115.114 – Juvenile and family detainees.

Outcome: Not Applicable (provide explanation in notes)

Notes:

BSSA does not hold juvenile or family detainees. ICE Policy 11087.1 prohibits the detention of juveniles in Adult Service Staging Areas. This was confirmed by interviews with both the SDDOs and all DDOs. Juveniles who falsely represent their identity as adults are moved to a facility which exclusively serves juveniles immediately after the false representation is discovered.

§115.115 – Limits to cross-gender viewing and searches.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(b) The facility meets the standard provision. ICE Policy 11087.1-4.51) requires pat-down searches to be performed by same gender officers where operationally feasible. In an interview with the SDDO, they advised that pat-down searches at BSSA are performed by same gender officers, unless there is no same gender officer in the facility. BSSA currently has (b) (7)(E) sworn female officer, who reported that she had never performed a pat-down frisk of a male detainee at BSSA. All interviewed male detainees were searched by a male DDO. Cross-gender strip and body cavity searches are prohibited by policy except in exigent circumstances. Interview with the Field PREA Coordinator confirmed that cross-gender strip searches are not performed at BSSA and if an exigent circumstance arose, a SDDO would be advised and an incident report would be generated. All interviewed staff at BSSA reported having never performed a cross-gender strip search or body cavity search.

(c) The facility meets the standard provision. During the on-site audit, the Auditor was able to confirm via staff interviews, that (b) (7)(E) male DDO had performed a pat frisk of a female detainee when no female staff were in the building. A (b) (7)(E) DDO was present and the cross-gender search was recorded on the detainee's intake form. The Auditor was unable to identify this detainee or retrieve their intake form as the search had taken place several months before and the DDO could no longer identify the detainee. All interviewed female detainees were searched by the female DDO. Cross-gender pat frisk searches are recorded on the detainee's intake form and the exigent circumstance is noted.

(d) The facility meets the standard provision. All toilets have pull across partitions to exclude cross-gender viewing of detainee toileting. The Auditor witnessed the partitions in use and they are adequate to provide privacy to detainees who are using the (b) (7)(E). (b) (7)(E). All cameras were viewed by the Auditor. Cross-gender announcements were both reported by interviewed DDOs and witnessed by the Auditor during the two day onsite audit.

(e) The facility meets the standard provision. Cross-gender strip and body cavity searches are regulated by ICE Policy 11087.1 – 4.5.2) and are limited only to those performed in exigent circumstances or by a licensed medical practitioner. No interviewed security staff at BSSA has performed a cross-gender strip or body cavity search. All interviewed custody and supervisory staff indicated that they would ask a detainee to voluntarily identify their gender if such information were needed and the majority of staff recited the procedural prohibition from performing strip searches to determine a detainee's gender.

(f) The facility meets the standard provision. All strip searches and body cavity searches are required to be documented under ICE policy 11087.1 – 4.5.2). Interviewed BSSA staff indicated that any strip search or visual body cavity search would be the result of a special incident and would involve the notification of a SDDO and the generation of an incident report. Pat Frisk training records of all current DDO staff were reviewed by the Auditor.

§115.116 – Accommodating detainees with disabilities and detainees who are limited English proficient.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a) The facility meets the standard provision. ICE Directive 11062.2 – 5.6.1) requires the Field Office Director (FOD) to ensure that BSSA staff provide all opportunities to detainees with disabilities to benefit from all aspects of agency and facility efforts to prevent, detect, and respond to sexual abuse and assault. Facility postings in all holding cells and processing areas in English and Spanish provide prevention and response information. Interviewed BSSA staff reported reading PREA materials to visually impaired detainees and were aware of how to access services for detainees with auditory impairment. These services included sign language interpreters and Teletypewriter (TTY) machines. Mental health issues are handled through acute psychiatric services and by referrals for long term psychological and psychiatric services to receiving detention facilities. If the detainee is not in acute crisis, the DDOs shall explain their PREA rights to them. If they are in acute crisis, all processing stops and the detainee is transported to the local Acute Mental Health Center at Loyola Hospital and shall remain out of population until cleared to return. This procedure was confirmed by the Field PREA Coordinator.

(b) The facility meets the standard provision. ICE Directive 11062.2 -5.6.2) requires the FOD to ensure that BSSA staff provide all opportunities to detainees, who are limited English proficient to benefit from all aspects of agency and facility efforts to prevent, detect, and respond to sexual abuse and assault. BSSA provides all PREA materials in English and Spanish in all holding cells and processing areas. There are several bilingual (Spanish/English) staff on duty at BSSA and the agency provides language line services at BSSA. The Auditor reviewed the facility procedures binder which mirrors ICE Directive 11062.2-5.6.2. ICE reporting posters containing Spanish/English and five other common languages were clearly viewed by the Auditor throughout the facility. Interviews with the AFOD, SDDO and DDOs all produced affirmative responses that they utilize the language line during processing to explain detainee PREA rights. The ICE Detainee Handbooks were reviewed by the Auditor and were to be found in sufficient supply in Spanish and English at BSSA. A language line is provided via an ICE contract, which was verified via interview with the agency PREA Coordinator's Office. All interviewed DDOs and SDDOs reported using the language line to communicate with detainees. The Auditor reviewed the ICE PREA posters, which provide reporting procedures to the DHS OIG in English, Spanish, and five other languages. The Auditor reviewed the detainee handbooks. All detainees interviewed but one reported receiving the ICE Detainee Handbook and understanding PREA reporting procedures. All interviewed DDOs and SDDOs reported using the language line to process detainees which includes the requirement to inform them regarding sexual abuse reporting procedures.

(c) The facility meets the standard provision. ICE Directive 11062.2 – 5.6.3) requires that the FOD ensure that BSSA provides in-person or telephonic interpretation for the reporting of sexual abuse allegations. BSSA has these services and all interviewed DDOs were well-versed in how and when to access these services for detainees. Telephones in the detainee hold rooms have untraced access for detainees to make reports to the DHS OIG regarding sexual abuse. Interviewed DDOs indicated that any detainee wishing to make a private report could indicate their desire to do so through their processing using the language line. They would then be allowed a private call in the office adjacent to the medical room, which the DDO would dial and then observe through the glass outside the office.

§115.117 – Hiring and promotion decisions.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a) The facility meets the standard provision. Prior to any employee being hired or promoted by the agency, the employee is vetted via a stringent background check by the Office of Professional Responsibility-Personnel Security Unit (OPR-PSU). Contractors are also vetted by OPR-PSU to ensure that the contractor has met each of the three elements of the standard provision. Contract security clauses for both the security and janitorial contracts were confirmed by the Contract Administrator at BSSA. Adherence to the three required elements of the standard provision (that the employee /contractor had not engaged in sexual abuse in a prison, jail, holding, facility, juvenile facility, confinement facility or other institution; that they had not been convicted of engaging or attempting to engage in sexual activity facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to refuse; and had been civilly or administratively adjudicated in the aforementioned activity(ies) was confirmed in writing on 9/18/2018 by the Unit Chief (UC) of the OPR-PSU. There are currently no volunteers working at BSSA.

(b) The facility meets the standard provision. During the application and interview process using the Electronic Questionnaires for Investigations Processing (E-QIP) application, all potential employees are asked to provide details of any misconduct detailed in standard provision (a) in writing. These answers are then scrutinized a second time during the background interview. ICE employees eligible for promotion at BSSA complete an application process which requires an affirmative declaration of any misconduct since the initial hiring process. These processes were confirmed via interview by the UC of OPR-PSU.

(c) The facility meets the standard provision. The Auditor did not have access to employee files, but did review those of contractors. A list of all employees working at BSSA was forwarded to OPR-PSU on 9/18/2018 and documentation containing the dates of all record checks and a summary of findings was sent electronically to the Auditor the same day. All initial checks and re-checks had been performed within the past five years as required by the standard provision. The time periods reported by OPR-PSU were within the Policy Guidelines established under ICE Directives 6-7.0 for employees and 6-8.0 for contractors.

(d) The facility meets the standard provision. Contractor background investigations were reviewed by the Auditor and were confirmed by the AFOD.

(e)The facility meets the standard provision. Material omissions relevant to sexual abuse misconduct or the provision of materially false information are grounds for termination of employment. This requirement was confirmed via interview with the Unit Chief of OPR-PSU.

(f)The facility meets the standard provision. Unless prohibited by law, the agency shall provide information on substantiated allegations of sexual abuse involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work as required in ICE Directive 11062.2.- 5.7. This practice was confirmed by the Unit Chief of OPR-PSU.

§115.118 – Upgrades to facilities and technologies.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a)The facility meets the standard provision. Although the facility was acquired and designed prior to 5/6/2014, the AFOD reported that the facility was designed for maximum supervision, detainee viewing and minimizing blind spots. (b) (7)(E)

(b)The facility meets the standard provision. There have been upgrades to the video monitoring systems since (b) (7)(E) and the AFOD reported that PREA concerns were weighed in by the FOD in accordance with ICE Policy 11087.1 – 4.1. These upgrades included the addition of new cameras (b) (7)(E)

§115.121 – Evidence protocols and forensic medical examinations.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a)The agency meets the standard. While there were no allegations of sexual abuse at BSSA in the past 36 months, interview with the Deputy Director of OPR Investigations confirmed the use of a uniform evidence protocol which maximizes the potential for collecting usable evidence. The protocol was developed in coordination with DHS and is based on the U.S. Department of Justice's publication "A National Protocol for Sexual Assault Forensic Examinations, Adults/Adolescents."

(b)The facility meets the standard provision. ICE Policy 11081.1 – 4 b) requires the FOD to coordinate with ERO HQ and the ICE PSA Coordinator to ensure that community support services are available and appropriate. The SDDO reported that BSSA has a very good working relationship with Loyola Hospital and they operate rape crisis services in addition to offering Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) examinations.

(c)The agency meets the standard provision. ICE Policy 11081.1 – 5 provides for forensic examinations to be performed on willing detainee sexual abuse victims including the use of a SAFE or SANE at no cost to the detainee. This practice was confirmed by the Field PREA Coordinator.

(d)The agency meets the standard provision. ICE Policy 11081.1-4 allows for the detainee sexual abuse victim to be accompanied by a victim advocate to their forensic examination, if there are no security concerns in doing so. This practice was confirmed by the Field PREA Coordinator.

(e)The agency meets the standard provision. The SDDO reported that they have a good relationship with the Broadview Police Department and the P.D. is cooperative in following PREA mandates and ICE's evidence protocols. Broadview P.D. works in conjunction with Loyola Hospital in following Uniform Evidence Collection protocols. Inquiry to the ombudsman at Loyola Hospital reveals that all police departments in the metro Laredo area utilize their Rape Crisis Center and the hospital follows the Department of Justice Uniform evidence protocol. The Auditor recommends that BSSA develop a Memorandum of Understanding with the Broadview P.D. using language that mimics the standard provision regarding the DHS evidence protocol.

§115.122 – Policies to ensure investigation of allegations and appropriate agency oversight.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a)The agency meets the standard provision. ICE Directive 11062.2 5.7 -1 (a-e, g) specifically outlines the reporting requirements for a facility after there has been an allegation of sexual abuse received. The reporting requirements include the immediate notification of the FOD. The FOD shall notify local law enforcement (Broadview P.D.). The FOD shall notify the ERO Assistant Director of Field Operations within two hours of the allegation. ICE Joint Intake Center (JIC) shall be notified telephonically within two hours of the allegation and again in writing within 24 hours. The JIC shall notify the DHS OIG. If a contractor is involved, the corporation supplying the contractor must be notified by the FOD of the allegation and if the alleged abuse occurred at a different facility than BSSA, the administrator of that facility must be notified by the FOD of the allegation within 72 hours. The practice of following this procedure was verified via interview with the UC of OPR Investigations.

(b) The agency meets the standard provision. The practices required by the standard provision are outlined with detailed description in 11062.2 – 5.9, 5.10, and 5.11. This information is provided to the public in less detail on the ICE website PREA, but the link also directs the public to the complete protocol as described above in ICE Directive 11062.2. Provisions in 5.11 of the Directive require all sexual abuse data to be maintained for 10 years by the ICE HQ PREA Coordinator. These practices were verified via interview on 9/6/18 with the OPR-UC.

(c) The agency meets the standard provision. The protocols for proper agency investigation and oversight as outlined in ICE Policy 11062.1 -5.9 & 5.10 are published on the ICE agency website. This posting was verified during the interview with the OPR-UC and subsequently reviewed by the Auditor. The policy is specific about reporting to the JIC and DHS OIG. The Field PREA Coordinator confirmed that administrative investigations are conducted of all allegations unless unfounded. They are conducted upon conclusion of criminal investigations conducted by local law enforcement or OPR.

(d)The facility meets the standard provision. Reporting directives published in ICE Directive 11062.2-5.9, 5.10, 5.11 require that all allegations of sexual abuse are promptly reported to the ICE HQ PREA Coordinator by the FOD. This practice was verified by telephonic interview with the Field PREA Coordinator.

(e)The agency meets the standard provision. The Field PREA Coordinator confirmed that alleged incidents of sexual abuse are immediately reported to the FOD who contacts local law enforcement but also the JIC, OPR, and DHS OIG. These notifications also ensure that a detainee victim of sexual abuse has been afforded timely access to U immigrant status information as BSSA is such a short-term holding facility.

§115.131 – Employee, contractor and volunteer training.

Outcome: Exceeds Standard (substantially exceeds requirement of standard)

Notes:

(a) The facility meets the standard. In accordance with ICE Directive 11062.2 – 5.2, all BSSA employees are trained in all eight elements outlined in the standard provision to ensure the prevention, detection, and response by staff to sexual abuse/assault. This training was verified through interviews with the Field PREA Coordinator, the SDDO and all interviewed sworn ICE staff who work at BSSA. These interviews included both holding staff and fugitive squad staff who may assist in the supervision and processing of detainees. BSSA contractor staff are trained regarding the agency's zero tolerance policy and their duty to report all suspected concerns regarding sexual abuse. All contractors working in BSSA during the on-site audit were interviewed by the Auditor and found to have been trained in accordance with this standard provision. BSSA does not utilize volunteers. Contractor training records were available on-site and were reviewed by the Auditor. The Auditor also reviewed the training curricula for sworn personnel electronically, verified the training and training content via staff interviews and reviewed staff training records in the uploaded documents received prior to the onsite audit.

(b)The facility exceeds the standard provision. All staff are trained prior to assuming duties with detainees and are retrained every year. This exceeds the every two year requirements of the standard provision and was verified by the SDDO and DDO interviews. The Scope of Work (SOW) in force with the security contractor was amended to include yearly re-training of the contractor security staff. There is only one janitorial contractor working at the facility and it was confirmed by the SDDO that they are retrained annually by their facility administrative supervisor.

(c)The facility meets the standard provision. Staff training and retraining requirements are monitored and flagged by the automated DHS PALMS system. The training monitoring was confirmed by the ICE PREA Coordinator's Office. Contractor training is monitored by DHS contracting staff and monitored at BSSA by administrative staff.

§115.132 – Notification to detainees of the agency's zero-tolerance policy.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

Both the agency and the facility meet this standard. The Auditor was able to easily access the agency website. The website has a PREA link which leads directly to the agency's sexual abuse prevention directives and the agency's zero tolerance policy, consistent with ICE Directive 11062.2 -2. BSSA prominently displays the agency's zero tolerance and sexual abuse reporting instructions throughout the facility including all holding cells, detainee processing areas, and public lobby and corridors. The posters are in Spanish and English and also include reporting instructions in several other languages common to ICE detainees.

All interviewed detainees but one, (10 were interviewed), indicated that they had received the ICE National Detainee Handbook which is available in both Spanish and English and contains an explanation of ICE's zero tolerance policy and an explanation of detainee's PREA rights.

§115.134 – Specialized training: Investigations.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a) The agency meets the standard provision. Interview with the Deputy Director of OPR Investigations confirmed that all agency OPR investigators who actively investigate sexual abuse allegations made by detainees in custody receive specialized training on sexual abuse and effective cross-agency coordination as mandated by ICE Directive 11062.1. – 5.2 3).

(b)The agency meets the standard provision. All specialized investigative training is documented in the training files of agency investigators as verified by interview with the Deputy Director of OPR Investigations.

Note: No specific training records for sexual abuse investigators were reviewed because there were no sexual abuse investigations conducted during the audit period reviewed (36 months) at BSSA and therefore no investigators were identified.

§115.141 – Assessment for risk of victimization and abusiveness.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a)The facility meets the standard provision. The SDDO took the Auditor through the admission process which mirrored ICE Policy 11087.1 -4.10.2). The processing DDO will pull up the detainee's initial screening file, if they are arriving from another holding/detention facility and shall have access to their initial screening for sexual abuse victimization/perpetration. If the detainee is brought in directly from the streets, the Fugitive Unit DDO shall perform the initial screening. Staff interviews confirmed this practice. A detainee processing intake was witnessed by the Auditor and a sample form was reviewed with the SDDO.

(b)The facility meets the standard provision. Because the majority of the detainees brought into BSSA are coming from other ICE facilities, the initial ICE screening tool was often completed prior to arrival. That screening is reviewed by the processing DDO and updated or expanded to ensure that all screening information is verified during the current processing. Those detainees coming in from the street shall be fully screened upon admission, barring exigent circumstances, because their stay at BSSA shall be less than 12 hours. The Auditor had the opportunity to witness a detainee processed from the street and the full screening was administered.

(c) The facility meets the standard provision. ICE Policy 11087.1-4.10.2) requires the screening DDO to use the criteria specified in the standard provision to screen new detainees before cell placement. The Auditor reviewed the Screening Instrument. Both the SDDO and the majority of those DDO's interviewed by the Auditor recited the criteria from memory during the staff interviews. The Auditor witnessed a detainee being processed after coming in from the street and the screening process was performed prior to cell placement.

(d) The facility meets the standard provision. BSSA staff affirmatively asks new detainees about prior sexual abuse victimization, violent offense histories and detainee histories of institutional violence or abuse. BSSA staff reported follow-up calls to detainees' former facilities if information is not readily available in the detainee's incoming ICE records. If a detainee identifies as a sexual abuse victim or abuser, they are placed in a holding cell by themselves. If a single cell is not available for a prior sexual abuse victim, they shall be placed in the holding cell apart from any identified abusers and a DDO shall be assigned to closely monitor that holding cell. Identified past or potential abusers shall be placed by themselves in a holding cell. Unless a single cell cannot be made available, this will always be the practice. In the rare exception that they must be housed with other detainees, they shall be housed apart from identified or potential victims and a DDO shall be assigned to provide close supervision.

(e) The facility meets the standard provision. ICE Policy 11087.1-4.10 d) requires all holding facilities to place strict controls on the dissemination of sensitive information regarding detainees provided during the screening process. All interviewed BSSA SDDOs and DDOs affirmed this policy and the facility's practice of strict confidentiality on a "Need to Know" basis. Staff consistently reported the practice of removing a detainee to a private but visible office or holding area to discuss sensitive information with detainees.

§115.151 – Detainee reporting.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a) The facility meets the standard provision. ICE Policy 11087.1-4.10.-3) requires the FOD to provide multiple ways for detainees to report alleged sexual abuse, retaliation, or staff neglect or violations of policies. Reports to ERO personnel may be oral, written, or from third parties. Detainees are advised that they can report anonymously both by posted notices and in the detainee handbook. The Auditor requested and witnessed a mock anonymous call to the DHS OIG. The call was successful. Staff interviews reinforced detainee's rights to report sexual abuse and staff's duty to report any allegations made to them as per policy. All detainees interviewed except for one who was newly admitted from the street had been advised of PREA by the admitting DDO or they had read the poster or handbook. Only one detainee interviewed required additional questions to solicit this information.

(b) The facility meets the standard provision. ICE posters in seven common languages direct detainees how to report sexual abuse to the DHS OIG without reporting to BSSA staff. Staff interviews revealed that detainees who need to be processed using the language line are advised how to report sexual abuse to the DHS OIG at the same time using interpretive services.

(c) The facility meets the standard. ICE Policy 11087.1-4.10.3)b requires the FOD to implement procedures for detention staff to accept oral, written, anonymous and/or third party reports of sexual abuse on behalf of detainees. All interviewed SDDOs and DDOs confirmed their obligation to accept verbal, written, and anonymous and/or third party reports regarding sexual abuse on behalf of a detainee and all interviewed staff indicated that they would immediately alert their supervisor of such reports.

§115.154 – Third-party reporting.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

The agency meets the standard. ICE's sexual abuse zero tolerance and reporting posters enable detainees to have information to make direct reports of sexual abuse to a party outside the operation of the agency, that being the DHS OIG. ICE publications (i.e. ICE PREA Pamphlet, Detainee Handbook and DHS PREA posters) and the agency website, also extend this capability to the general public including detainee family, friends, and advocates by contacting the DHS OIG Hotline as detailed on ICE posters and the website. These practices are in accordance with ICE Policy 11087.1-4.10.3) and all media listed above was eye-witnessed by the Auditor.

§115.161 – Staff reporting duties.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a) The agency and the facility meet the standard provision. ICE Directive 11062.2-5.7 requires all facility staff to immediately and appropriately by procedure, report any knowledge, suspicion or information of sexual abuse that occurred in a facility; retaliation against any detainees or staff who reported or participated in an investigation of an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. BSSA staff reported access to the DHS OIG hotline as well as access to the Field PREA Coordinator for such reporting. This practice at BSSA was confirmed by the Field PREA Coordinator, the SDDO, and all interviews with sworn DDO's.

(b) The facility meets the standard provision. Of the [REDACTED] custody staff ([REDACTED] SDDOs, [REDACTED] DDOs) interviewed at BSSA, all [REDACTED] staff correctly and completely declared an affirmative duty to report as per the procedure described in standard provision (a). All [REDACTED] staff affirmed their training in this regard and all [REDACTED] staff spoke freely of their attention to this duty as sworn personnel even at the proposed wrongdoing of fellow staff members.

(c) The facility meets the standard provision. Both HQ staff (the Deputy Director of OPR Investigations) and BSSA managerial and line staff interviews clearly affirmed that information regarding sexual abuse incidents is only shared with other parties on the strictest "Need to Know" basis as specified in ICE policy 11062.2-5.2.2).

(d) The facility would meet this standard in an exigent circumstance. In normal operations, this standard provision is N/A as juveniles are not staged here. In exigent circumstances or in the case of a vulnerable adult, OPR-DDC has advised that all cases involving juveniles or vulnerable adults are reported, as per ICE Directive 11062.2-5.7), to mandated State child/human services protection agencies.

§115.162 – Agency protection duties.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

The facility meets the standard. ICE Directive 11062.2-5.2.2) iii requires trained staff to respond affirmatively to perceived or reported threats of sexual abuse to detainees. All interviewed BSSA custody staff advised that they would immediately separate and protect any detainee who verbalized fear of sexual abuse or who they perceived to be at risk of imminent sexual abuse.

§115.163 – Report to other confinement facilities.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a-b) The agency and the facility meet the standard provision. ICE Directive 11062.2-5.7 1) e requires that the administrator of the facility where the alleged assault took place is notified within 72 hours of the allegation. All other reporting, as required by procedure, shall take place immediately. This practice was confirmed by the Field PREA Coordinator. There were no reports of either an allegation made of alleged sexual abuse at BSSA by a detainee or a sexual abuse allegation made at BSSA by a detainee who experienced or knew of sexual abuse at another facility. This information was confirmed by all interviewed BSSA and headquarters staff. During the detainee interviews, a detainee reported knowledge of detainee on detainee sexual abuse at another holding facility in confidence to the Auditor. After advising the detainee that this information was reportable, the Auditor shared this information with the SDDO, the Team Lead, and the AFOD. There was confirmation that this was a pre-reported and pre-investigated incident. The reporting detainee acknowledged that the alleged perpetrator had been removed from the facility due to the incident.

(c) The agency and the facility meet the standard provision. The Field PREA Coordinator confirmed that all notifications regarding an allegation of sexual abuse are noted in the case record.

(d) The agency meets the standard provision. The OPR-DDC confirmed that the facility that held the detainee where the abuse occurred must make all mandatory notifications as well upon receiving notification of the allegation. Both facilities are required by ICE Directive 11062.2-5.7 1) e to report the allegation to the FOD who will follow the policy requirements specified in 115.122(a).

§115.164 – Responder duties.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a) The facility meets the standard provision. ICE Policy 11087.1-4.11. 2) Requires sworn officers to follow a four-step protocol for first response to an allegation of sexual abuse. There are also protocols for non-officers and for medical personnel. Interviews with [REDACTED] sworn DDOs and [REDACTED] SDDOs revealed that all interviewees were clear on separating the detainees and informing their supervisors immediately. [REDACTED] DDOs were unsure of the other requirements. Both supervisors were completely aware of their first responder responsibilities. This said, the facility is compliant with this standard provision since all DDOs know to inform the supervisor immediately. It is recommended that all sworn staff receive refresher training on these first responder duties or be issued these duties on a carry-card.

(b) The facility meets the standard provision. All contractor staff and non-officer staff were interviewed and are aware of their first responder responsibilities to ask detainees not to destroy any evidence and then contact a DDO.

§115.165 – Coordinated response.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a) The agency and facility meets the standard provision. ICE Policy 11087.1-4.11 requires the facility to have a multi-disciplinary team to respond to sexual abuse allegations. The policy outlines reporting duties, first responder duties, and provision of medical and mental health services to detainee victims, and sexual abuse and assault incident reviews. Interviews with the Field PREA Coordinator, the SDDOs and DDOs verified practice of these procedures in the event of a sexual abuse allegation at BSSA.

(b) The facility and the agency meet the standard provision. ICE Policy 11087.1-4.11 4) c requires the FOD to inform a receiving ICE or non-ICE facility where a detainee victim may be transferred of the incident and the detainee's need for on-going medical/mental health treatment services. This practice was confirmed by interviews with the AFOD and the Field PREA Coordinator.

(c) The facility meets the standard provision. Interviews with the Field PREA Coordinator and both SDDOs verified that a detainee victim who is transferred from BSSA to a non-ICE Subpart A or Subpart B facility shall have their continued medical and/or mental health treatment needs conveyed to the receiving facility. This notification takes place by both electronic recording on the detainee's file and follow-up conversations with the receiving facility's medical department.

§115.166 – Protection of detainees from contact with alleged abusers.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

The agency and the facility meet the standard. Interviews with both the OPR-UC and the Field PREA Coordinator verify that ICE Directive 11062.2-5.8 4) c which guarantees that an ICE employee or contractor suspected of perpetrating sexual abuse shall be removed from all duties requiring detainee contact pending the outcome of an investigation. There were no instances of sexual abuse, perpetrated by employees or contract staff, reported at BSSA in the past 36 months. BSSA does not utilize volunteers.

§115.167 – Agency protection against retaliation.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

The agency and the facility meet the standard. ICE Directive 11062.2-5.3 4) directly and clearly addresses retaliation by ICE employees or contract staff against anyone including detainees who reports, complains about, or participates in an investigation into an allegation of sexual abuse or assault, or for participating in sexual behavior as a result of force, coercion, threats, or fear of force. There were no allegations of retaliation made at BSSA in the past 36 months and therefore the Auditor relied solely on agency policy and the interviews described as follows. Interviews with HQ OPR- Deputy Director of OPR Investigations, the Field PREA Coordinator, and BSSA staff reinforce the zero tolerance for staff and detainee retaliation as an agency and facility.

§115.171 – Criminal and administrative investigations.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

Note: There were no allegations of sexual abuse/assault made at BSSA in the past 36 months. For each standard provision of this standard, the Auditor is relying on HQ interviews around agency experience at other facilities which mimic a hypothetical situation at BSSA.

(a) The agency meets the standard provision. Interview with the HQ OPR-DDC verified that for each agency investigation of an allegation of sexual abuse, the investigation would be prompt, thorough, objective, and conducted by a specially trained, qualified investigator.

(b) The agency meets the standard provision. Interview with the HQ OPR-DDC revealed that for each criminal investigation into a sexual abuse allegation, an administrative investigation would be completed as well as specified by ICE Directive 11062.2-5.9. The scope of the administrative investigation is based on the findings of the criminal investigation and the investigations are driven by consultations with both the appropriate DHS investigative entity and the assigned criminal investigative body.

(c) The agency meets the standard provision. Interview with the HQ OPR-DOC and OPR-UC verifies that for all sexual abuse investigations, the FOD is responsible to ensure that the procedural requirements of the standard provision are satisfied in accordance with ICE Directive 11062.2.-5.9 -2).

(d) The agency meets the standard provision. ICE Directive 11062.2-5.9 and interviews with the HQ OPR-DOC and OPR-UC verify the agency's prohibition against terminating an investigation into sexual abuse because of the departure of the alleged abuse or victim from the employment or control of the agency.

(e) The facility meets the standard provision. The Field PREA Coordinator reports that BSSA and the Chicago Field Office maintain a good working relationship with the Broadview Police Department and there is an open line of communication for all investigations. The Field PREA Coordinator is the liaison with the Broadview Police Department and advised that when there is an open investigation, they set up interval reviews. These consist of pre-scheduled telephonic conferences where case status and evidentiary requirements are discussed.

§115.172 – Evidentiary standard for administrative investigations.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

The agency and the facility meet the standard. ICE Directive 11062.2-5.9 1) e sets the evidentiary standard as preponderance of evidence. Interviews with the HQ OPR-DOC and OPR-UC verified that the evidentiary standard for all ICE administrative investigations is preponderance of evidence and never exceeds this level.

§115.176 – Disciplinary sanctions for staff.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a) The agency and the facility meet the standard provision. While there were no instances of reported sexual abuse at BSSA in the past 36 months, ICE Directive 11062.2-5.9 2) mandates that in all cases where sexual abuse or related misconduct are substantiated against a staff member, apart from criminal proceedings, that staff member is subject to disciplinary or adverse action up to and including removal from their position and the Federal service. This practice was confirmed by interview with the Field PREA Coordinator.

(c) The facility meets the standard provision. ICE Directive 11062.2-5, 9 2) also mandates that the facility where the substantiated abuse took place shall cooperate with local law enforcement and shall notify that agency of any administrative staff removals or resignations in lieu of removal. This practice was confirmed by interview with the Field PREA Coordinator.

(d) The agency and the facility meet the standard provision. In response to ICE Directive 11062.2-5.9 2), the facility or OPR shall attempt to inform all relevant licensing agencies of staff removal or resignation in lieu of removal occurring as a result of a substantiated allegation of sexual abuse. This practice was confirmed in an interview with the OPR-UC.

§115.177 – Corrective action for contractors and volunteers.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a-b) The facility meets the standard provision. ICE Directive 11062.2-5.7 mandates that when a contractor has engaged in sexual abuse, the facility shall notify any relevant licensing body, to the extent known, of any substantiated abuse. The facility has had no reported incidents of sexual abuse in the past 36 months. This report was verified through interviews with the Field PREA Coordinator and the OPR-UC. Any incident of alleged sexual abuse shall also be reported to the JIC, the DHS OIG, and the appropriate local law enforcement authority. The FOD or AFOD shall make these reports. Contractors shall also be removed from all duties requiring detainee contact pending the outcome of the investigation. These practices were confirmed during the interview with the OPR-UC. BSSA does not utilize volunteers.

§115.182 – Access to emergency medical services.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a) The agency and the facility meet the standard provision. ICE Policy 11087.1-4.11.4) mandates that the FOD ensure that detainee victims of sexual abuse or assault have timely, unimpeded access to medical and mental health treatment and crisis intervention services, including emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care. This practice was confirmed during the interview with the Field PREA Coordinator.

(b) The agency and the facility meet the standard provision. That the above referenced services are provided to detainee victims of sexual abuse/assault without cost was also verified during the interview with the Field PREA Coordinator.

§115.186 – Sexual abuse incident reviews.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a)The agency and the facility meet the standard provision. ICE Policy 11087.1-4.11.6) mandates that the FOD shall conduct a sexual abuse and assault incident review at the conclusion of every investigation of sexual abuse and assault occurring at a holding facility and, unless the allegation was determined to be unfounded, prepare a written report recommending whether the allegation or investigation indicates that a change in policy or practice could better prevent, detect, or respond to sexual abuse and assault. Such review shall ordinarily occur within 30 days of ERO's receipt of the investigation results from the investigating authority. This practice was verified by the Field PREA Coordinator.

§115.187 – Data collection.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

(a)The agency and the facility meets the standard provision. ICE Directive 11062.2-5.12. requires that the facility shall securely retain data collected pursuant to the Directive in accordance with agency retention policies and the agency protocol regarding investigation of allegations of sexual abuse and assault. Hard copy data is forwarded to the Chicago Field Office (FO) and is securely stored in the office of the FOD. Electronic report data collected as part of a sexual abuse investigation is stored on encrypted files by OPR. These practices were verified by the AFOD and the Field PREA Coordinator.

§115.193 –Auditsofstandards.

Outcome: Not low risk

Notes:

The facility met all standards except for 115.113, due to a HQ determination in conflict with standard provision (b). This issue is currently under review at HQ for resolution and may pre-empt the need for Corrective Action.

§115.201 – Scope of audits.

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

- d. The facility meets the standard provision. The Auditor had access to and was able to observe all areas of BSSA.
- e. The facility meets the standard provision. BSSA and ICE ERAU provided all relevant documentation required to perform a thorough PREA compliance audit of BSSA.
- i. The facility meets the standard provision. The Auditor was permitted to conduct private interviews with all selected detainees.
- j. The facility meets the standard provision. Detainees were informed of the pending audit by notices posted throughout the holding cells and processing areas that were written in both English and Spanish and provided detainees with an address to correspond privately with the Auditor. To date, the Auditor has received no correspondence from or on behalf of any detainee.

AUDITOR CERTIFICATION:

I certify that the contents of the report are accurate to the best of my knowledge and no conflict of interest exists with respect to my ability to conduct an audit of the agency under review. I have not included any personally identified information (PII) about any detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.

Joseph W. Ehrhardt

December 10, 2018

Auditor's Signature & Date

PREA Audit: Subpart B
DHS Holding Facilities
Corrective Action Plan Final Determination



**Homeland
Security**

AUDITOR INFORMATION			
Name of auditor:	Joseph W. Ehrhardt	Organization:	Creative Corrections, LLC
Email address:	[REDACTED]	Telephone number:	(b) (6), (b) (7)(C)
AGENCY INFORMATION			
Name of agency:	U.S. Immigration and Customs Enforcement (ICE)		
FIELD OFFICE INFORMATION			
Name of Field Office:	Chicago Field Office		
ICE Field Office Director:	Richard A. Wong		
PREA Field Coordinator:	SDDO Keith T. Taylor		
Field Office HQ physical address:	101 West Congress Parkway, Chicago, Illinois 60605		
Mailing address: <i>(if different from above)</i>			
INFORMATION ABOUT FACILITY BEING AUDITED			
Basic Information About the Facility			
Name of facility:	Broadview Service Staging Area		
Physical address:	1930 Beach Street, Broadview, Illinois 60155		
Mailing address: <i>(if different from above)</i>			
Telephone number:	708-449-6722		
Facility type:	ICE Staging Facility		
Facility Leadership			
Name of Officer in Charge:	(b) (6), (b) (7)(C)	Title:	Supervisory Detention and Deportation Officer
Email address:	(b) (6), (b) (7)(C)	Telephone number:	(b) (6), (b) (7)(C)
Facility PSA Compliance Manager			
Name of PSA Compliance Manager:	Keith T. Taylor	Title:	Supervisory Detention and Deportation Officer
Email address:	(b) (6), (b) (7)(C)	Telephone number:	(b) (6), (b) (7)(C)

FINAL DETERMINATION**SUMMARY OF AUDIT FINDINGS:**

Directions: Please provide summary of audit findings to include the number of provisions with which the facility has achieved compliance at each level after implementation of corrective actions: Exceeds Standard, Meets Standard, and Does Not Meet Standard.

On Friday, February 8, 2019, a Corrective Action Plan (CAP) was received from ICE External Reviews and Analysis Unit (ERAU) Team Lead by Creative Corrections, LLC contracted PREA Auditor Joseph W. Ehrhardt. This Corrective Action Plan was in response to the on-site compliance audit conducted at Broadview Service Staging Area (BSSA) on September 10-11, 2018. At that time, the Auditor found BSSA to not be in compliance with PREA Standard Provision 115.113 (b).

Also received was a Custody Programs (CP) Holding Facility Self-Assessment Tool (HFSAT): HQ Compliance Analysis FY18-19. The HFSAT Compliance Analysis determined BSSA to be in compliance with ICE ERO Policy 1108.1: Operations of ERO Holding Facilities. (September 22, 2014) and was attested to by the Unit Chief, Special Populations and Programs Unit-SPPU.

Review of the Corrective Action Plan included the HFSAT completed for BSSA by the assigned Supervisory Detention and Deportation Officer on 12/20/2018. The HFSAT review was determined to be complete and comprehensive, satisfying each component of PREA standard provision 115.113(b). The HFSAT review was also consistent with the levels of supervision, video supervision, and security contractor supervision witnessed by the Auditor during the on-site audit. These practices were also affirmed by the Auditor's interviews of local Subject Matter Experts (SME's), supervisory and line staff and procedural reviews.

Given that the HFSAT review covers nine of the 12 months that the Auditor reviewed on-site and is consistent with the findings of compliance that the Auditor determined in the original findings, the Auditor accepts the CAP developed and submitted by the facility and ERO Headquarters.

In lieu of this determination, the summary findings of the PREA compliance audit performed at BSSA are as follows: the review of 30 PREA standards resulted in one standard having been exceeded (115.131); 28 standards being met (115.111; 115.113; 115.115; 115.116; 115.117; 115.118; 115.121; 115.122; 115.132; 115.134; 115.141; 115.151; 115.154; 115.161; 115.162; 115.163; 115.164; 115.165; 115.166; 115.167; 115.171; 115.172; 115.176; 115.177; 115.182; 115.186; 115.187 and 115.201); and one standard being non-applicable (115.114).

The Auditor again recognizes the cooperation of the staff and administration of BSSA, from the staff of the Chicago Field Office and from the ICE Headquarters staff.

PROVISIONS

Directions: After the corrective action period, or sooner if compliance is achieved before the corrective action period expires, the auditor shall complete the Corrective Action Plan Final Determination. The auditor shall select the provision that required corrective action and state if the facility's implementation of the provision now "Exceeds Standard," "Meets Standard," or "Does not meet Standard." The auditor shall include the evidence relied upon in making the compliance or non-compliance determination for each provision that was found non-compliant during the audit.

§115. 113 - Detainee supervision and monitoring

Outcome: Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Notes:

On February 8, 2019, the Auditor received a copy of the Holding Facility Self-Assessment Tool (HFSAT) for BSSA. This report was completed by the assigned BSSA Supervisory Deportation and Detention Officer on December 20, 2018 after facility staff performed the annual review required by this standard. The HFSAT was reviewed and approved by the Assistant Field Office Director (AFOD) and BSSA was found to be in compliance with ICE ERO Policy 11081.1: Operations of ERO Holding Facilities (September 22, 2014) after HQ Compliance Analysis by the Unit Chief of the Special Populations and Programs Unit-SPPU.

Review of the HFSAT by the Auditor found that the HFSAT satisfied all components of the annual review as specified by standard provision 115.113, element (b). The findings of the HFSAT are also consistent with the on-site findings of the Auditor with regard to supervision and monitoring; as well as the interviews and procedural review for BSSA. The Auditor determines that BSSA is now in substantial compliance of this standard.

§115. Choose an item.

Outcome: Choose an item.

Notes:

§115. Choose an item.

Outcome: Choose an item.

Notes:

§115. Choose an item.

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Outcome: Choose an item.

Notes:

§115.193

Outcome: Low Risk

Notes:

Upon completion of the Corrective Action Plan, BSSA is now determined to be Low Risk.

AUDITOR CERTIFICATION:

I certify that the contents of the report are accurate to the best of my knowledge and no conflict of interest exists with respect to my ability to conduct an audit of the agency under review. I have not included any personally identified information (PII) about any detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.

Joseph W. Ehrhardt

February 10, 2019

Auditor's Signature & Date

EXHIBIT 5

DECLARATION OF STEVE HELD

I, Steve Held, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am a journalist with Unraveled Press, a Chicago-based investigative reporting publication. I previously worked as an independent journalist, then formed Unraveled Press in 2024 with another independent journalist in the Chicago area.

Reporting at Broadview

2. Over the past several months, I have been reporting about the current immigration enforcement push in the Chicago area, including reporting from the ICE facility at 1930 Beach Street in Broadview, Illinois (“Broadview”).
3. At all times while reporting from Broadview, I have worn press credentials displayed around my neck. In late September, I also began wearing a helmet and backpack that said “press.”
4. On Saturday, September 27, 2025, I went to Broadview at around 5:30 p.m. to report on protests occurring outside the facility. While I was off of the street, recording federal officers making an arrest, and attempting to follow officer instructions, I was tackled and arrested without any apparent justification.

Detention in Broadview

5. After I was tackled, agents took me through the north parking lot at the Broadview facility and brought me inside. An FBI agent sat me down and took off my helmet, glasses, and respirator. He then confiscated those items along with my driver’s license, belt, phone, and everything in my pockets.
6. Agents then took me to a small holding room they were using to detain all the men arrested at the protest, plus one trans woman arrested at the protest. Next to that room, agents were using another small holding room to detain another woman arrested the protest.
7. For the next few hours, agents processed the people who were arrested at the protest. The processing was very disorganized. Agents would occasionally come in and ask which of us had already been processed or whether we had been processed by HSI agents or FBI agents. Some of the agents weren’t wearing uniforms that displayed what agency they worked for, so people did not always know which agency had processed them.
8. Eventually, I was taken from the holding cell to a larger room in the center of the facility for processing by an FBI agent. She had written down my name and other personal details, like my birthdate, on a small piece of notebook paper. She escorted me to an agent who I believe worked for HSI. He asked the FBI agent for my arrest intake form. She gave him the small piece of paper and asked if she really had to fill out the form. He indicated he would collect the necessary information from me and she could skip the form. He took my fingerprints and mugshot.

9. At another point while I was being processed, a different FBI agent stopped in and gave the HSI agent a note with the name of my attorney and his phone number. I learned from the FBI agent that my attorney had arrived outside Broadview and asked the agents to let him speak to me. The FBI agent asked the HSI agent if I had been granted my phone call yet, and he said no. The FBI agent asked the HSI agents if the phones in our cell worked. They indicated they did not know. I informed them that the phones did not seem to work. The FBI agent then instructed the HSI agent to let me call my attorney after my processing was complete.
10. After my processing was complete, agents took me back to the same small holding cell I was in before. I asked the agents to let me call my attorney, but they told me I would be released in a few minutes and could talk to him then. I saw from an agent's watch that it was around 10:30 p.m. when they said that.
11. Instead of releasing me a few minutes later, they kept me in the holding cell for about three more hours, until around 1:30 a.m.
12. I tried to call my wife at least three times from the phones in the cell, but none of the phones worked. The phones in the cell all had a pre-recorded message that gave callers two options: use a pre-paid card to make a call, or make a 20-second call for free. I did not have a pre-paid card, so I tried several times to make a free call to my wife. Each time, the phone never connected and eventually just said the person I called never answered.
13. The day after my arrest I asked my wife about the phone calls, and she said she was waiting by her phone with the volume turned up to the maximum level and "do not disturb" turned off. Her phone never rang, but when I looked at her call log there were three missed calls.
14. Other people in my cell tried to make phone calls too, and none of us got through to anyone. Several people tried to call a legal hotline number. Others tried to call their families. Even one person in the cell with a pre-paid card could not successfully make a call. I don't believe any of the phones in that cell worked at all. Whether intentionally designed to behave this way or not, the phones do not actually connect calls and only connect for the minimum time necessary to log a missed call on the recipient's phone.
15. At around 1:30 a.m., agents let me leave the Broadview facility. They led me through a garage, out the garage door, then out of the fence surrounding the facility onto Harvard Street. I was not charged with anything. For over six hours, I was unable to contact my lawyer, or anyone from the outside.

Conditions Inside Broadview

16. I spent most of my time at Broadview in the same small holding cell with other people arrested at the protest. I was also taken into a larger room in the center of the facility for processing (the "center room"). The center room contained rows of agent workstations and

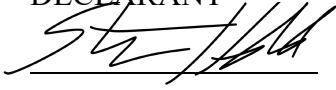
benches where detainees sat for processing. The center room was connected to four different holding cells: the two smaller holding cells used to detain protestors, including the cell I was kept in, and two larger cells that appeared to be holding immigration detainees.

17. Each of the four holding cells had large windows that looked out into the center room. At first, I could look out the window of my holding cell and see into the center room and parts of the two immigration detainee holding cells. Within the first hour or two, agents taped paper bags over the windows so that we could not see what was going on in other areas of the facility. I also noticed that part of the window to one of the immigration detainee holding cells was covered with paper bags, but not all of it. I am not sure if agents covered that window before I arrived or not.
18. One of the men in my cell, who had also been arrested at the protest, had to take off his clothes because they were soaked with the chemicals used by agents on the protestors and were burning his skin. He asked the agents for a different shirt and they eventually brought him something that looked like a hospital gown.
19. Chemicals used by agents at the protest outside made it inside the facility because they were tracked in by agents and people arrested at the protest. I noticed that agents closest to the building entryway and those handling people arrested at the protest were exhibiting some effects of the residual pepper spray, pepper ball dust, and tear gas. Some of the people in my holding cell joked about how agents had reactions when they tried to remove shoelaces from their dust-covered shoes.
20. In our holding room, the effect of the chemicals was tolerable but noticeable. I experienced minor congestion and sneezing. I was arrested early, before they deployed any chemical munitions outside, so any effects I felt were from chemicals being tracked in. Several folks in the holding room with me had been heavily exposed.
21. I had the chance to observe the two immigration detainee cells both before my cell's window was covered and also while I was in the center room being processed. One of those cells appeared to hold about 40 male immigration detainees, and the other appeared to hold around 10-12 female immigration detainees.
22. All four cells had cinderblock walls and concrete floors. Each cell had at least one toilet, but the toilets were mostly exposed and only covered by a small half concrete wall. The agents gave small, flat sandwiches and water bottles to the people in my holding cell, but I don't know what they gave to the people in the other cells.
23. The male immigration detainee cell looked very crowded. I would estimate that it was around 30 by 30 feet. Men in that cell were trying to lay down, but there was not enough space for all of them to spread out.
24. None of the cells had any furniture except plastic chairs. I could see that some people in the male immigration detainee cell had pushed together the chairs to make a surface to lay

on, but there was not enough room for all of them to do that. I saw some men laying on the concrete floor. A few men had foil blankets, but not many. One man had gauze wrapped around his head, as if he had experienced a head injury.

Executed on 22 of October 2025, in Chicago, Illinois

DECLARANT

A handwritten signature in black ink, appearing to read "Steve Held", written over a horizontal line.

Steve Held

EXHIBIT 6

DECLARATION OF CLAUDIA CAROLINA PEREIRA GEUVARA

I, Claudia Carolina Pereira Guevara, make the following declaration based on my personal knowledge:

1. My name is Claudia Carolina Pereira Guevara. I am competent to make this declaration.
2. I was arrested by federal agents on October 2, 2025. I was driving to work at approximately 5 a.m. when three cars surrounded me. The officers smashed open my window and took me out of the car. All of the officers who arrested me were men. One of them patted me down and searched me. They put me in handcuffs.
3. The agents put me in one of their vehicles. The agents drove me from one place to another for a long while, stopping frequently in obscure locations. I felt unsafe and did not know where I was being taken. Eventually, the federal agents transferred me into a white van with four other people. The white van took us to the detention center in Broadview.
4. When I entered Broadview, I was again patted down and searched by a male officer. They took all of our property, placed it in bags, and locked it away. They took our shoelaces.
5. I was detained at Broadview for approximately five days. Most of the people I was with were also held for five days, but some were held for even longer. One of the people I was detained with had already been there for six days when I was released and continued to be detained after they took me out.
6. On the first day that I was at Broadview, an immigration officer processed me. He asked me for various pieces of information.

7. The officer told me that I had to sign my deportation paperwork. He told me that if I did not sign the paperwork, I would remain detained there at Broadview until I agreed to sign. I felt that I had no choice but to sign the paperwork.
8. The deportation paperwork was in English, but I am not able to read English. The deportation paperwork was not provided to me in Spanish, a language that I know and understand. The deportation officer did not translate the deportation paperwork for me into Spanish. He just told me that it was a paper for deportation and that I had to sign it.
9. I asked to speak with a lawyer. The officer said no. He said I had no right to speak with a lawyer. He emphasized that until I signed the deportation paperwork, I would be stuck there in detention at Broadview.
10. I signed the deportation paperwork.
11. Nobody at Broadview was able to talk to a lawyer. Nobody at Broadview was able to get any legal advice about their immigration status.
12. The immigration officers did not provide me any information about my legal options. Their only goal was to deport as many people as possible as fast as possible.
13. I know that after I entered the country in 2021, I had an immigration case pending in LA immigration court.
14. I made a claim for asylum.
15. I never received notices about my immigration court case in LA.
16. I never learned whether there had been any outcome or final order from that court case.
17. I was not able to get legal advice at Broadview about whether or how I could fight against my deportation through that court case or in a new court case.

18. Because I was not able to talk to a lawyer, I did not know if I had any legal options to fight back against my deportation. I had no choice but to sign the paperwork.
19. The immigration officer at Broadview told me, after I signed the paperwork, that I would be subject to a 5 year prohibition on returning.
20. I was unable to get legal advice about whether what the immigration officer told me was true, or whether I could apply for a waiver of that prohibition on returning to the United States.
21. I now understand that I may actually be subject to a 10-year prohibition on returning and that it may be very difficult or impossible for me to get a waiver of that 10-year ban.
22. I also now understand that my legal options are much more limited now that I have been deported. /
23. I have a four year old child and 8 month old child who are still living in the United States. I am now separated from them and do not know when we will be able to be reunited.
24. While I was detained at Broadview, I did not have any access to a consular official from my native country, Honduras.
25. Despite signing the deportation paperwork on my first day at Broadview, they continued to detain me there for five days.
26. There are four larger holding cells at Broadview as well as two individual cells meant for only one person.
27. On my first day at Broadview, I was put in one of the holding cells.
28. The conditions at Broadview were truly horrible. We were treated terribly by the officials there.

29. For most of the time I was at Broadview I was in a holding cell with between eight to ten other women.
30. On one of the days, however, the officers took all eight women out of the holding cell and put all of us into one of the individual cells meant for a single person. We were locked inside there for one day. It was horrible. Eventually, they let us out and put us back into one of the larger holding cells.
31. The holding cell I was kept in was dirty and unsanitary. I did not see the officers clean at any time while I was there. We asked the officers for a broom to try to clean it ourselves, but they refused.
32. There were no showers. There was no way to wash ourselves.
33. We were never given a change of clothes, so we had to wear the same clothes we arrived in for the entire time we were there.
34. There was no soap or anything to sanitize with.
35. The room had a metal toilet that everyone had to share. There was no privacy. Everyone else in the holding cell could see you using the toilet.
36. There were two video cameras in the holding cell. The video cameras captured women using the toilet. We had no idea who was watching on the cameras or what they did with video of women using the toilet.
37. There were windows in the holding cell that I was in. When the windows were uncovered, we could see the area where the officers sat. We could also see into other holding cells that housed men and the men could see into our holding cell.

38. However, soon after I arrived, the officers covered the windows in the holding cell with white nylon sheets. This blocked us from being able to see out toward the officers and blocked the officers from seeing in.
39. The food at Broadview was terrible and insufficient. The only food we ever received were small Subway sandwiches. The sandwiches had been frozen and were very cold.
40. Some days they gave us only two sandwiches to eat all day. Some days they gave us three sandwiches. We got no other food at all. The officers refused to provide more food when people asked.
41. The officers did not give us enough water. On one of the days I was there, they did not give us any water for 13 hours straight. We were asking the officers for water. The officers heard us but pretended like they weren't listening and ignored us for 13 hours.
42. The only water we received was one single-serving water bottle, with each sandwich. So, on some days we only got two bottles of water all day.
43. There was a sink attached to the metal toilet. At one point I tried to drink water from that sink, but the water was foul and not fit for drinking. I did not drink that water again.
44. There were no beds and nowhere to sleep properly. The rooms had some hard plastic chairs. I tried to sleep sitting on one of these chairs, but it was very uncomfortable. Eventually, I had to sleep on the hard floor. The floor was very dirty, but I had no other choice.
45. The room was kept extremely cold at night. The plastic sheet they gave us was not enough to keep warm. They did not provide extra clothes.
46. The officers kept the lights on all the time, including overnight.
47. The officers did not provide any medical care.

48. I saw two men who were seriously ill and who did not appear to get proper medical treatment. One of these men was gravely ill and appeared to be having a heart attack. The officers were laughing at him and laughing about his medical emergency.
49. Toward the end of my time at Broadview, I got very sick because of the unsanitary conditions and from being forced to sleep on the dirty, hard floor. When I awoke, I was numb from the waist down. I could not feel my legs. I woke up vomiting. My body was weak and frail. The officers eventually took me out of the cell, but they refused to take me to see a doctor or to the hospital. I did not receive medical care from anyone at Broadview. They sat me in a wheelchair and left me in the central area of the detention center outside the cells.
50. The officers treated us terribly. They used obscenities and insults against us. When we asked for necessities of life, they would insult us or ignore us. They often laughed at detainees and made light of our suffering.
51. The conditions at Broadview were devastating for me. At one point I thought that I would rather die than have to stay there any longer.
52. People detained at Broadview are desperate. Some of the women there were arrested while their kids were in school. Some of the people had been arrested while attending court, as they were required to do. One of the people I was detained with, a woman from Africa, was tricked by the officers. The officers told her she would be moved somewhere else and would get a lawyer, but instead, based on paperwork she received, it appears to the women in the cell with us that she was scheduled to be deported.
53. The conditions at Broadview were even worse for the men than for the women. When I was able to see into the men's holding cells, I saw that they were absolutely overflowing.

Men were packed together, forced to stand one next to the other because there was so little space.

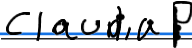
54. On the day they released me from Broadview, they chained me up from the hands, feet, and waist and took me out into a van at 4 a.m. They did not provide us with any food that morning. We received no food until after we were on a plane headed to Louisiana in the late afternoon.

55. I was subsequently put on a plane to Honduras. I was handcuffed during the flight to Honduras until just before landing.

56. I am currently in Honduras. I have two young children who remain in the United States.

This declaration was read to me in Spanish, a language that I know and understand. I declare under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct. Executed on October 20, 2025, in Honduras

Esta declaración me fue leída en español, un idioma que conozco y comprendo. Declaro bajo pena de perjurio conforme a las leyes de los Estados Unidos de América, de acuerdo con la seccion 1746 del titulo 28 del Codigo de los Estados Unidos, que lo anterior es verdadero y correcto. Firmado el 21 de octubre, 2025, en Honduras


Claudia Carolina Pereira Guevara (Oct 21, 2025 09:12:54 MDT)

CERTIFICATE OF TRANSLATION

I, Maikel Arista-Salado, certify that I am fluent in both the English and Spanish languages and that I am competent to translate between them. I have read the attached declaration to Claudia Carolina Perreria Guevara in Spanish, and he confirmed that he understood and agreed to its contents before signing.

Date: October 21, 2025.

A handwritten signature in black ink, appearing to read 'Maikel Arista-Salado', is written over a horizontal line.

Maikel Arista-Salado, Paralegal

Declaration of Claudia Carolina Guevara

Final Audit Report

2025-10-21

Created:	2025-10-21
By:	Jamia Russell (jamia.russell@macarthurjustice.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAANmCFGUa5NG6Zif740OL_5OtgXIFRiYeQ

"Declaration of Claudia Carolina Guevara" History

-  Document created by Jamia Russell (jamia.russell@macarthurjustice.org)
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-  Document emailed to claudiacarolinapereiraguevara@gmail.com for signature
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-  Document emailed to Maikel Arista-Salado (marista-salado@macarthurjustice.org) for signature
2025-10-21 - 2:55:30 PM GMT
-  Email viewed by claudiacarolinapereiraguevara@gmail.com
2025-10-21 - 3:11:38 PM GMT
-  Signer claudiacarolinapereiraguevara@gmail.com entered name at signing as Claudia Carolina Pereira Guevara
2025-10-21 - 3:12:52 PM GMT
-  Document e-signed by Claudia Carolina Pereira Guevara (claudiacarolinapereiraguevara@gmail.com)
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-  Email viewed by Maikel Arista-Salado (marista-salado@macarthurjustice.org)
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Signature Date: 2025-10-21 - 3:58:10 PM GMT - Time Source: server
-  Agreement completed.
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EXHIBIT 7

DECLARATION OF JUAN GABRIEL AGUIRRE ALVAREZ

I, Juan Gabriel Aguirre Alvarez, make the following declaration based on my personal knowledge:

1. My name is Juan Gabriel Aguirre Alvarez and I am competent to make this declaration.
2. I was detained at Broadview from the morning of Thursday, October 9, 2025 until Sunday, October 12, 2025.
3. I was arrested by federal agents on the morning of Thursday, October 9, 2025, while I was working at a client's house. I was surprised because I have been in the United States for over 20 years, and I have no criminal record. When the agents approached me, I asked them if they had a warrant. They told me, "We don't need a fucking warrant," or words to that effect. They handcuffed me then put me in a car. I was driven to a parking lot in the back of a store. Agents moved me from the car to a van. We sat in the parking lot for about 30 minutes, then I was driven in the van to Broadview.
4. When I arrived at Broadview, agents took me inside, then put my belongings, including my belt, shoes, phone, and wallet into a plastic Ziploc bag.
5. ICE officers placed me in a crowded room with hundreds of other people. The room was filthy and there were bottles and sandwich wrappers all over the floor.
6. There was one shower at Broadview, but it was not working. I could not shower. I did not have access to soap, hand sanitizer, toothpaste, or a toothbrush. No one received a change of clothes. Many people were detained in their work clothes, and the room smelled very badly of sweat and body odor. The room was hot, which made the smell even worse. When people asked the officers to turn the AC up because it was very hot in the room, the officers ignored the requests.

7. There were two toilets in the room. One toilet was out in the open, and the other toilet was by a wall that was about two to three feet tall. However, it was not tall enough to provide privacy. People were also laying down very close to the toilets, so when I went to the bathroom, I had to watch where I was stepping.

8. There were no beds or mattresses. It was so crowded that there was not enough room for everyone to lay down. If you got to sleep on the floor, you were lucky. We had to take turns laying down on the floor. Sometimes, I asked people if I could have a turn laying down on the floor. Even when I could lay down, the floor was very hard and cold and made it difficult to sleep. The officers kept the lights on all throughout the night. Officers kept opening the holding room door and calling people's names all night long, so it was very loud. These conditions, combined with the terrible smell made it so I could only sleep, at most, around two hours a night.

9. I was not processed for over 24 hours after arriving at Broadview. They processed me around 2:00 or 3:00 pm in the afternoon on October 10, 2025. They brought me out of the room, into an open area. I sat down at a desk with an officer, who asked me when I got to the United States, asked me to provide my personal information, and asked about my family.

10. The officer who was processing me asked me if I wanted voluntary departure. I told him I was not going to sign anything because I needed to talk to a lawyer. I told him I was going to go to court and fight my case for my kids and family. I did not sign anything.

11. After I was processed on Friday, the officers moved me to a small room. At first, there were only a few other people in there. But it quickly filled up, and there were over 50 people in the small space. It became even more crowded than the other room. It was so crowded that when the officers tried to open the door to the room, they could not open it because people had no choice but to try sleep on the floor right in front of the door because it was so crowded.

12. This small room had only one toilet in the corner, out in the open. There was no privacy at all. Everyone could see others using the toilet.

13. I saw some a man get sick and vomit in and around the toilet. The man received no medical care. No officers came to clean up the vomit. It smelled terrible, and people tried to use toilet paper to clean up the vomit.

14. At around 10:00 or 11:00 pm on October 11, a man who was in the small room defecated in his pants. Another man in the room was wearing shorts and pajama pants, so he gave the other man his shorts. The man's soiled pants were placed in the garbage, and it smelled horrible. No one came to clean it up or take it away, so it smelled terrible the entire night. I was not able to sleep at all this night.

15. While I was at Broadview, officers gave me one half of a Subway sandwich at around 8:00 am, then another one half of a sandwich around 2:00 to 3:00 pm. Sometimes, we also got one half of a sandwich at night, around 7:00 to 8:00 pm. On October 11, 2025, the agents only gave us half a sandwich two times: once around 8:00 am and once around 8:00 pm. I did not receive any other food. It was not anywhere near enough food, and I was very hungry. Other people asked officers for more food, but they were refused.

16. Officers only gave me one bottle of water with each sandwich. The officers did not give us any more water, so we had to save our water to try to make it last. I was very thirsty because I did not get enough water.

17. I saw a man who was bleeding from his face. The officers placed him in the holding room while he was bleeding and did not give him any medical treatment.

18. I also saw several people who had swollen and bruised hands and arms. They told me the injuries occurred while they were being arrested. Only some of them received slings for

their arms. They were not taken to the hospital and did not receive treatment for their injuries. Another man who was detained attempted to help some of them because ICE would not help them.

19. On the night of October 11, or early in the morning on October 12, I looked out of the small window of the room I was in and saw people running around in the processing area. I saw an older woman who was passed out and unresponsive. The officers started running around. It took about 10 to 15 minutes for the fire department to come into the building and help her. It was very scary to watch.

20. There was no way to make a confidential phone call at Broadview. There was a phone I was able to use in the first room I was in, but you had to pay for the phone call, and the line was not confidential. There were also people all around me. While I was being processed, the officer allowed me to make one call to my wife using the landline on his desk. However, the officer was right in front of me, so I could not talk privately on the phone.

21. It seemed like the officers at Broadview did not know which individuals were in which rooms. Sometimes, they went around to each holding room calling out a person's name because they don't know where people are. Some people were there for multiple days before getting processed, while some people were processed on the same day. It seemed very disorganized.

22. I was transferred out of Broadview on the morning of Sunday, October 12, 2025 and was brought to Clay County Jail in Brazil, Indiana, where I am currently detained.

23. I was lucky to only be at Broadview from Thursday to Sunday. I talked to people who had arrived before me, on Monday or Tuesday, and they were still there when I was transferred out.

I declare under penalty of perjury under the laws of the United States of America and pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 20, 2025 at Clay County Sheriff's Immigration Detention.

Juan G. Aguirre
~~Juan~~ Gabriel Aguirre Alvarez
Juan

EXHIBIT 8

DECLARATION OF LAURA SMITH

I, LAURA SMITH, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

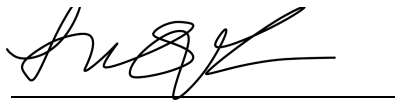
1. I am an immigration attorney and the Executive Director at the Children's Legal Center, 1100 W. Cermak Road, Suite 422, Chicago, Illinois 60608. I have 15 years of experience representing noncitizens, 8 of which as the Executive Director of Children's Legal Center.
2. I have represented multiple clients who have been detained at the ICE Broadview Staging Service Area ("Broadview") at 1930 Beach St. in Broadview, Illinois.
3. When I enter my client's information into the ICE online detainee locator system (<https://locator.ice.gov/odls/#/search>), which is supposed to list the facility where an individual is detained, it does not list my clients as being detained at Broadview. Instead, the ICE online detainee locator system states: "Call ICE for Details". I often only learn that my client is at Broadview through their family members. Otherwise, I only find out that they were at Broadview after they are transferred to another facility.
4. When my clients are detained at Broadview, I am unable to contact them. When my staff call the numbers provided by Google for Broadview at (708) 343-7841, no one ever answers the phone. There is no option to leave a voicemail. The ICE website does not list Broadview as a Detention Center under the Chicago Field Office jurisdiction so no information about Broadview is on their website.
5. ICE does not allow me to visit any of my clients when they are detained at Broadview.
6. In June 2025, one of my clients was arrested and taken to Broadview. I went to Broadview in person and requested to speak with my client and obtain her signature on several documents. The ICE officers refused to let me speak with her, and instead, took the documents, had her sign them while I waited outside of the entrance doors (in the vestibule), then returned the documents to me. I was unable to communicate with this client at any point during the five days she was detained at Broadview. After she was transferred out of Broadview, she told me that she slept on the floor for five days without a pillow or blanket.
7. Another client was arrested in July 2025 and brought to Broadview. A supervising attorney at Children's Legal Center went to Broadview to speak with him and obtain his signature on a G-28 and a retainer agreement. ICE refused to let our attorney see or talk to our client, refused to take the documents to obtain our client's signature, and told her she had to leave. This client was held at Broadview for about five days and we were not able to communicate with him at all during those five days.

8. Another client was arrested in September 2025. He was at Broadview for about five days before being transferred. I was unable to speak to him the entire time he was there.
9. I have a client who was at Broadview from September 17, 2025 until October 8, 2025. He told me that he only received food once a day, and it is usually just a piece of bread. He is given one bottle of water a day. He reports that the detainees are sleeping on the floor with no blankets, pillows, or mattresses, in just the clothes they arrived in.
10. On occasion, I am able to pass messages to my clients at Broadview through their family members if and when they are able to make short calls to their loved ones. These calls are short, infrequent, monitored and non-confidential. There is no way to confidentially communicate with my clients while they are detained at Broadview, where they are now typically held for four to five days.
11. ICE's refusal to allow me to communicate with my clients while they are detained at Broadview has severe consequences on my ability to zealously advocate for them. The denial of legal access prevents me from obtaining critical information, including information about their histories and eligibility for immigration relief. This information is crucial in removal proceedings, bond hearings, and habeas petitions. ICE's refusal to even allow me to obtain my clients' signatures prevents me from obtaining their immigration records and impacts my ability to file on their behalf. My clients are unduly prejudiced in court and face serious consequences from ICE's denial of legal access.
12. For example, because I was unable to access my client while he was still in Illinois at Broadview, he was transferred to a detention facility in Texas. I filed my G28 electronically with ICE but was still not provided access to him. In Texas, he was told he would be deported in one hour and was given one phone call to call me. However, the ICE officer was on the line during our entire call, so the call was not confidential. This was the first time I spoke with him. I tried to inform him of his eligibility, and that the federal court in Illinois had issued a rule to show cause against the government, but the ICE officer cut me off from advising my client. He was deported after this phone call. In total, I had no more than eight minutes of access to my client before he was removed. Upon his return to Mexico, he was immediately kidnapped and disappeared. He is currently missing in no small part because ICE denied him access to counsel.
13. ICE's refusal to allow me to access my clients at Broadview also limits my ability to access them when they are transferred to other facilities. In turn, this limits my ability to effectively represent them and hinders my clients' ability to access the courts. In my experience, despite my attempts, out-of-state detention facilities make it difficult to facilitate legal access. The many different detention centers have a different process to schedule appointments so we are unaware of how to schedule an appointment until the

client is transferred. At least one detention center required my social security number before allowing me to access my client for a legal visit.

14. For example, I was unable to get a signature for my teenage client while he was held in Broadview. He was then transferred to a detention facility in Indiana where, after much difficulty, I was able to schedule an appointment with him. However, before our appointment, he was transferred to a detention facility in Texas. The Texas facility initially would not allow me to make an appointment and refused to transmit any legal paperwork. They told me to travel to Texas to get his signature.

Executed on 14 of October 2025, in Chicago, IL

A handwritten signature in black ink, appearing to read 'Laura Smith', is written over a horizontal line.

Laura Smith
Executive Director and Attorney
Children's Legal Center

EXHIBIT 9

DECLARATION OF LOUISE CARHART

I, LOUISE CARHART, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. My name is Louise Carhart. I am an attorney at Kempster, Corcoran, Quiceno & Lenz-Calvo, Ltd., and am based in Chicago, Illinois. My practice area is focused on immigration. I have three years of experience representing noncitizens in affirmative and defensive applications to USCIS and EOIR. I have represented clients detained at the ICE Broadview Staging Service Area ("Broadview") at 1930 Beach St. in Broadview, Illinois.
2. One of my clients was detained at Broadview from June 16, 2025, until June 20, 2025. He was first held in a windowless basement at O'Hare International Airport for five days. I did not speak to him while he was at O'Hare. I learned through my client's family that he was being transferred to Broadview.
3. On June 16, I entered my client's information into the ICE online detainer locator system (<https://locator.ice.gov/odls/#/search>). It simply listed my client as being "in ICE custody," but did not list where he was detained. The ICE detainee locator never stated that he was at Broadview.
4. I called the ICE Chicago Field Office phone number (872) 351-3990) multiple times between June 16 and June 20, but each time I called, after going through the menu, the call dropped.
5. While he was detained at Broadview, he was unable to call me or his family. His family did not hear from him until he was transferred out of Broadview. The day he was transferred out of Broadview, the ICE detainee locator listed him as being in Clay County Detention Center, but he was not there. ICE had instead sent him to the Campbell County Detention Center in Newport, Kentucky.
6. My client was prejudiced due to ICE's refusal to allow him to access counsel. ICE's denial of access prevented me from starting on his case while he was at Broadview. I could not obtain his signature on documents or file for bond while he was detained at Broadview. My client was detained at Broadview for four days. Because ICE denied access, my client was in detention for nine days before I could even begin seeking relief.
7. My client told me he felt lucky to be alive by the time he left Broadview. At Broadview, he only received one cold meal a day. The holding room was very crowded and cold. There were no beds, and he was forced to attempt to sleep on the floor. There were no working showers available, and the toilets were shared with many individuals.
8. My client takes medication for high blood pressure. During his four days at Broadview, ICE did not give him his medication. His family dropped off a duffel bag of his

belongings at Broadview, which included his prescription medication. ICE never provided him with this medication. He did not receive the duffel bag until he was released from ICE custody.

Executed on 9th of October 2025, in Chicago IL

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

Louise Carhart

Attorney

Kempster, Corcoran, Quiceno & Lenz-Calvo, Ltd

EXHIBIT 10

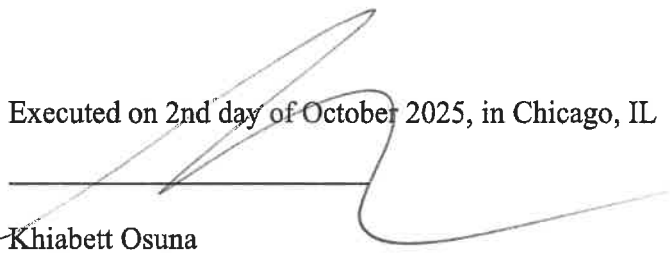
DECLARATION OF KHIABETT OSUNA

I, KHIABETT OSUNA, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. My name is Khiabett Osuna. I am an immigration attorney based in Chicago, Illinois, at Kriezelman Burton & Associates, LLC. I have 6 years of experience representing noncitizens in immigration proceedings as an attorney. I focus primarily on representing individuals in removal proceedings in immigration courts throughout the United States, as well as individuals seeking relief before the U.S. Citizenship and Immigration Service. As part of my practice in Chicago, I have represented clients detained at Broadview.
2. On Friday, August 15, 2025, I went with my client to her USCIS interview at the Chicago Field Office for an adjustment of status. The USCIS officer told me she was not going to make a decision that day because she was busy with interviews. Her supervisor confirmed that the officer was scheduled for interviews all day and a same-day decision could not be issued. They both told me that ICE wanted to talk to us in the basement..
3. Minutes later, ICE told me that the officer denied my client's application. I was not informed by USCIS about the denial or the reasons for the denial. I did not receive a written decision from USCIS until days later, which I needed to file an appeal.
4. ICE immediately detained my client. She is an elderly woman in her late 70s with several health conditions that require medication including diabetes, high blood pressure, high cholesterol, and thyroid problems. The ICE officer said to my client: "give your keys to your attorney." The ICE officer again informed us that the USCIS officer had denied my client's case, but that they did not know why. When I asked why it was necessary to detain my client, who was elderly and sick, they said they did not have discretion, that their orders were given to them by headquarters. My client gave me her house keys, which I gave to my client's friend. Her friend got my client's medication and dropped it off with an ICE officer at Broadview. The ICE officer had told me that medication for my client could be dropped off at Broadview and they would make sure that she received it.
5. Later that day, around 4 or 5PM, I entered my client's information on the ICE Online Detainee Locator System (<https://locator.ice.gov/odls/#/search>) to find the facility where she was located. She did not appear in the locator.
6. I checked the ICE locator all weekend and she never appeared on it. On Tuesday August 19, I emailed ICE ERO at chi-ero-detained@ice.dhs.gov and Chicago.Outreach@ice.dhs.gov to find out where she was located. I also emailed several ICE officers. I received an email from ICE ERO Chicago that my client was detained at Grayson County Jail in Kentucky.
7. I checked the ICE detainee locator to confirm this information, but my client's information still did not appear on the website.

8. My client was detained at Broadview for four days during which I was unable to locate her. ICE only told me where she was located after they transferred her out of Broadview.
9. I needed to contact my client and get her signature in order to file the I-290B Notice of Appeal. I was unable to get in touch with my client and get her signature, so I had to file the application without her signature.
10. At Broadview, my elderly client was confined in a small holding cell with many people for four days. She told me the room was very cold and had bright lights on all day and night. Despite her medical conditions, she was only given sandwiches for every meal.
11. My client was held at the detention facility for approximately one month. She never appeared on the ICE locator.
12. My client did not receive the right medication or the right dosages of medication at the detention facility. I informed ERO and they responded that Broadview did not send the medication to the facility, and they did not have any record whatsoever of the medication my client received at Broadview. They told me that without proof of the medication she received at Broadview, ERO cannot change her medication to give her the correct prescription.
13. The experience with her medication seems to be a pattern. I have another client who was detained at Broadview. She was transferred to a detention facility where she was not given the correct medication. I reached out to ICE and told them she was receiving the wrong medication. ICE ERO told me that they have no record of her receiving any medication at Broadview and refused to correct her prescription without that record.

Executed on 2nd day of October 2025, in Chicago, IL



Khiabett Osuna

EXHIBIT 11

DECLARATION OF JUAN M. GASPAR-NOCHEBUENA

I, Juan M. Gaspar-Nochebuena, make the following declaration based on my personal knowledge:

1. I was detained at Broadview for approximately six days, from Monday, September 8, 2025, until Saturday, September 13, 2025.
2. When I arrived at Broadview, the officer who processed me asked me to sign a document. I was unsure what the document was, and I refused to sign the document.
3. When I first arrived at Broadview, I was allowed to use a landline phone to make one short phone call. However, the call was not confidential; a Broadview staff member was within one to two meters from me while I made the call.
4. During my time at Broadview, I never observed anyone able to speak with their lawyer. When people asked the officers to speak with lawyers, officers told people to wait but never actually allowed people to speak with their lawyers. I did not see any lawyers arrive to speak with their clients. I did not see anyone able to speak with a lawyer confidentially.
5. There was no place at Broadview where detainees could make a confidential telephone call. All of the telephones that detainees could use were located in areas where officers and other detainees could listen.
6. The only opportunity I had to make a free telephone call was in the office area when I first arrived at Broadview, as described above.
7. There was a telephone for paid phone calls located in the holding room where I was held. All phone calls on that telephone were recorded and monitored, according to a written notice located near the phone and a recorded notice when one would try to make a phone call.

8. In order to make phone calls from the phone in the holding room, the person that you were calling had to answer the telephone and then agree to deposit funds to pay for the collect phone call. It was not possible to leave a voicemail message using that telephone.

9. While I was at Broadview, I was held in a room with about 80 other people. The room was roughly square and not very big. I believe the width of the room was approximately the length of six people lying down, end-to-end. The room was very crowded.

10. The only furniture in the room was plastic chairs. There were no beds or mattresses. I joined two plastic chairs together to sleep on. People who arrived after all of the plastic chairs were occupied were forced to attempt to sleep on the floor.

11. I saw three other rooms where detainees were held at Broadview. Those rooms were also crowded.

12. At night, the officers turned up the Air Conditioning, and the room was very cold. We were not given any pillows or blankets. After three days, we were finally given a thin foil blanket. By Thursday, September 11, I developed congestion due to the cold temperatures.

13. I saw that other people in the holding room were sick because of the cold temperatures. One person fainted and had to be taken away to the hospital. There were no doctors or medical staff at Broadview.

14. On approximately Friday, September 12, after the person fainted and was taken to hospital—and after many people had been complaining about the cold temperatures—I and some other detainees received a sweater to wear over the clothes that we had been detained in.

15. During the first three days of my detention at Broadview, the only food I received was a Subway sandwich three times a day. After the third day, there were more people in the holding rooms and people were banging on the walls to try to get more food. The Broadview staff became annoyed, and they started giving us less food.

16. On Thursday and Friday, I received only two Subway sandwiches per day, once around 2:00 pm and again around 8:00 pm. This was not enough food, and I remained hungry. At one point, I asked an officer for food because I was hungry, but the officer dismissed me, and I did not receive any more food.

17. I believe, based on the behavior of the officials, that they gave us less food as retaliation and punishment.

18. The only water I received was one bottle of water each time that I was given a sandwich. Otherwise, I did not have access to proper drinking water. When I asked officers for more water, they refused.

19. Women could see into the men's holding room and men could see into the women's holding room.

20. The room I was held in had only two toilets. There was no privacy in the toilet area. Women could see into the men's holding room when men were using the toilet.

21. I asked the officers for soap many times, but I was only given a small amount of soap one time. It was only enough to use about one time.

22. Eventually, I was given toothpaste, but the toothpaste had expired in 2021 and tasted terribly. We were forced to use the expired toothpaste because they refused to give us anything else.

23. I asked an officer for Tylenol because I was in pain due to a toothache. The officer told me that they did not have any Tylenol. They did not provide me with any medications or medical attention for my toothache.

24. Some of the officers at Broadview treated me and other detainees very badly and with disrespect.

25. I recall that an officer who appeared to be in charge would belittle me and other detainees when we asked for things like food, blankets, hygienic items or medicine. I recall that at one point he said something to the effect that he did not ask us to come to the United States, so why were we asking for things.

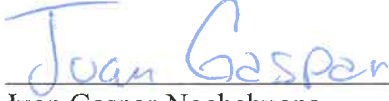
26. I also noticed that the officials at Broadview would delay and refuse to give us supplies, like the foil blankets, even though I could see that they had plenty on hand right there in the facility. I felt that they did this in order to cause us despair.

27. Some of the people I was detained with at Broadview were held for even longer than I was. I recall, for example, two people from Honduras who were held at Broadview for 7-8 days.

28. This declaration was read to me in full in Spanish, a language that I know and understand.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 2nd, 2025, at the North Lake Processing Center, Baldwin, Michigan.



Juan Gaspar-Nochebuena

CERTIFICATE OF TRANSLATION

I, Hugo Arenas, certify that I am a competent translator of Spanish to English and that I read the attached declaration to Juan Gaspar-Nochebuena in Spanish, and that he understood and agreed to its contents before signing.

Date: October, 2nd, 2025.

Hugo Arenas

Hugo Arenas (Oct 2, 2025 12:15:08 MDT)
Hugo Arenas, SPA Interpreter

Cert of Translation (J. Gaspar-Nochebuena)

Final Audit Report

2025-10-02

Created:	2025-10-02
By:	Jamia Russell (jamia.russell@macarthurjustice.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA0cQUzqWg0Jk4WABoD1icH3DdC6y-Dchc

"Cert of Translation (J. Gaspar-Nochebuena)" History

-  Document created by Jamia Russell (jamia.russell@macarthurjustice.org)
2025-10-02 - 6:09:17 PM GMT
-  Document emailed to alejandroarenaschalini@gmail.com for signature
2025-10-02 - 6:09:20 PM GMT
-  Email viewed by alejandroarenaschalini@gmail.com
2025-10-02 - 6:14:21 PM GMT
-  Signer alejandroarenaschalini@gmail.com entered name at signing as Hugo Arenas
2025-10-02 - 6:15:06 PM GMT
-  Document e-signed by Hugo Arenas (alejandroarenaschalini@gmail.com)
Signature Date: 2025-10-02 - 6:15:08 PM GMT - Time Source: server
-  Agreement completed.
2025-10-02 - 6:15:08 PM GMT



Adobe Acrobat Sign

EXHIBIT 12

DECLARATION OF JANE DOE¹

I, Jane Doe, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I was held at Broadview for three days in late-August 2025.
2. The officers did not give me a phone call when I arrived.
3. An immigration agent processed me and asked if I wanted my kids to be deported with me.

The agent tried to get me to sign a document, which I understood to be a document agreeing to deportation with my kids. I refused to sign the document and told the agent that I needed to see my lawyer.
4. The agent got their supervisor, who told me I needed to sign the paper. They were mad that I would not sign the paper. The officers told me that I could not talk to my lawyer because I was just going to be deported.
5. The officers also gave me another document with multiple checkboxes that listed different reasons for deportation.
6. The officers gave me my phone to grab my contacts, and I was able to reply to text messages that had come in for about five minutes. They then told me to turn it off and took it away from me.
7. I was held in a room with glass walls with two other women. I was able to see everyone in the other holding areas and the people in the other holding areas could see me.
8. There were two phones in the room. You could make a call, but it would only go through for about 15 seconds before the person on the other end was prompted to create an account and add money to it. I was not able to get through to my lawyer on this phone.

¹ See *United States v. Abu Marzook*, 412 F.Supp.2d 913, 923–24 (N.D.Ill.2006) (Pseudonyms can be used when a witness's safety must be maintained); see also *United States v. Cavallaro*, 553 F.2d 300, 304 (2d Cir. 1977) (same).

9. I repeatedly asked the officers to let me speak to my lawyer, but they ignored me. I did not see anyone who had the opportunity to talk to a lawyer.
10. The floor in the room where I spent three days was concrete. There were no beds or mattresses. The only place to lie down was on benches around the room. They were made of a rubbery material. I used toilet paper as a pillow. There were bugs under the seats; I saw centipedes, spiders, and roaches.
11. The room was extremely cold. I could feel cold air coming through the AC vents. We were not given additional clothing, and we only received foil blankets for warmth and to cover ourselves, and not until the third day. I was wearing jean shorts, a crop top, and Crocs, the clothes I had been arrested in.
12. The officers kept the lights in my room on the entire time I was there, even overnight. I covered my eyes with my shirt and my arm to try to block the light and sleep.
13. There was no privacy. We were in full view of the male officers and the detainees, even when we used the toilet. There were cameras as well, even in the toilet area.
14. There was no separate bathroom. There was a toilet and a sink in the room with a small metal piece for privacy that did not provide full coverage. We had to use a trash can and hold up a foil blanket to block the men from seeing us use the toilet.
15. We only had a little piece of soap and no menstrual products. One of the other women in the room was on her period. I had to translate to help her ask the officers for menstrual products.
16. There was no shower. I did not shower for four days while in ICE custody, the three days I was at Broadview and the fourth day while being transported to a detention facility.
17. I also was not able to brush my teeth because there were no toothbrushes or toothpaste.

18. The only food we received was Subway sandwiches, the regular 6-inch size. We received these twice a day, around 7:00am and again around 4 or 5:00pm. Because there was no lunch, I saved half of my sandwich from the morning to eat at lunch. The sandwiches were always ham or turkey. Along with the sandwiches we were given water bottles. When the bottles were empty, we had to fill them with water from the sink, which was attached to the toilet.
19. Prior to my arrest, I had cut one of my toes. My toe was injured further during my arrest. I asked for medical attention for my toe but was told that I would have to wait until I was at a detention facility.
20. The officers ignored us when we tried to get their attention. They mainly paid attention to the men in the other rooms. The men's section was very crowded.
21. We had to bang on the glass to get their attention. When they did come over, they were rude to the women. They would threaten to isolate us.
22. There was no shower. I did not shower for four days while in ICE detention.
23. The only food I received was Subway sandwiches twice a day. They were six-inch sandwiches with turkey or ham. We got them once around 7 a.m. and again around 4-5 p.m. I saved half my morning sandwich for lunch.
24. Prior to being arrested, I cut my toe. My toe was further injured during my arrest when ICE officers tossed me in the car and hit it with the car door. I asked for medical attention at Broadview but the officers said "no." They told me I would have to wait until I was at a detention facility to get medical attention. I was at Broadview for three days without medical attention. I still have not seen medical at my current detention facility.

25. I was transferred out of Broadview on a Monday around 6 a.m. I did not get any food or water before or during transfer. I was taken in a van to an airport about three hours away and then put in a car to go to another detention facility. During transport, I had on tight handcuffs, leg shackles, and a waist chain attached to the handcuffs for several hours.
26. I told the officers I was thirsty, but they denied me water. I did not have anything to eat or drink until I got to the detention facility that afternoon. I did not shower until 2 or 3 p.m. that day.
27. I am signing this declaration using a pseudonym because I have pending U Visa and cancellation applications and fear retaliation from federal law enforcement authorities if my true identity is revealed in a public document.

Executed on 29 (day) of September (month) 2025

Jane Doe

Jane Doe

EXHIBIT 13

DECLARATION OF WILLIAN GIMÉNEZ GONZÁLEZ

I, William Giménez González, make the following declaration based on my personal knowledge:

1. My name is Willian Giménez González. I am competent to make this declaration.
2. On September 12, 2025, at approximately 10 or 10:30 a.m. I was arrested by federal agents on Cermak between California and Rockwell.
3. At the time I was arrested, I had already received a work permit from the U.S. government. I had a hearing scheduled in immigration court for July 2026. I did not have a criminal record.
4. The federal agents who arrested me were traveling in three vehicles. When they arrested me, they placed me in handcuffs and then put me in the back seat of one of those vehicles. The officers then proceeded to travel to different places and arrest two other people.
5. We were then taken to a location where the three of us were loaded into a white van. The white van already contained four other people who had been arrested. Federal officers drove the white van to the parking lot of a police station, where they conferred with another official. The white van then proceeded to take us to the detention facility in Broadview, Illinois.
6. I arrived at the Broadview ICE building at approximately 12 or 12:30 p.m. on September 12, 2025. I was taken inside the building into the detention area.
7. When I was taken inside the Broadview facility, officers removed my handcuffs and took all of my property, including my cell phone. I was not allowed to make a phone call at that time. I was not processed at that time. I was put inside a holding cell and kept there until I was taken out for processing the next day.
8. The Broadview detention facility contains four holding cells that surround a central area where there are desks and computers for the officers to use.

9. Two of the holding cells are very small. Those two holding cells are located along one wall of the central area. One of those smaller cells was used to hold female detainees while I was there. The other small cell contained men.

10. There are two other, somewhat larger, holding cells along another wall of the central area, adjacent to the two smaller holding cells. I was held in one of those two cells. The cell I was in was located near a corner of the central area.

11. There appeared to be at least one individual cell that the officers used to separate individual detainees from others. That cell was located down a small hallway that separates the two small holding cells from the larger holding cells. I saw officers take a person down that hallway to put him in the individual cell as a form of punishment.

12. All four of the holding cells surround a central area that has desks with computers where federal officers sit. This is where federal officers process people who are detained at the facility. There are also benches in the central area where people who are detained can be told to sit and wait.

13. There are large glass windows in all of the holding cells facing the central area. The guards in the central area can always see into each holding cell. People detained in one holding cell can see inside the other holding cells.

14. I was not processed at the desks in the central area on the first day that I was held at Broadview. Instead, I was put directly into a holding cell, where I was locked up overnight until the next day.

15. When I arrived, there were other people in the holding cells who had already been there for 4-5 days.

16. The conditions inside my holding cell were horrible.

17. The room was extremely overcrowded. There were around 40 or 50 people inside the room. The room was maybe 3.5 meters long and 3.5 meters wide.

18. There was not enough room for all of the people in my holding cell to sleep properly. People had to sleep curled up in order not to touch other people. If one person stretched, they would hit someone else.

19. There was individual seating with hard cushions that were arranged back-to-back. Some people slept sitting uncomfortably on the seats. Everyone else had to sleep on the hard floor. I had difficulty sleeping because it was very uncomfortable. I would have to try to sleep in one these seats and would hit a cellmate because it was too crowded.

20. There were three toilets inside the holding cell. There was no privacy. There was only a very low wall between each of the three toilets, but anyone using the toilet was in full view of everyone else in the holding room. People only used the toilets to urinate. While I was there, nobody used the toilets in my holding cell for other bodily functions. We did not have access to any other toilet facilities.

21. Each toilet had a sink attached to it. This was the only place we could get water.

22. We were not given cups to drink water from the sink. We were not given any water bottles. In order to drink, people had to either put their faces directly to the faucet of the sink above the toilet, or use their hands to try to cup water.

23. We were not provided with any soap.

24. There was no way to wash or shower.

25. We were not provided with any change of clothes. I stayed in the same clothes that I was arrested in until I was transferred to another detention facility in Michigan.

26. Each person in my holding cell was provided one thin foil plastic sheet, which people used as a makeshift blanket.

27. We were not given enough food. The only food we ever received was small Subway sandwiches. When the officers gave us food, they would line us up and give us each one sandwich out of a box. We were not allowed to get more than one small sandwich. I was given a sandwich twice on September 12 (once around 1-2pm and once in the evening), and then another sandwich the next day.

28. We were not given a water bottle or anything else to drink when we got a sandwich. We were not given any other food besides the small sandwiches during the time I was held there.

29. Officers ignored requests from detainees for medical assistance or other necessities.

30. I recall one man who was perhaps 45 or 55 years old telling officers that he was sick and suffering from a medical condition. The officers did not provide him with any medical attention. They left him inside the holding cell without paying attention to him.

31. The holding cell had a telephone, but it was very difficult to use and often did not work. When people would try to make a call, the call would be dropped very quickly if it connected at all. Because of the large number of people it was difficult to be able to use the one and only phone in the cell. In addition, many people could not make phone calls because they did not know the phone numbers of the people they wanted to call. There was no way to look up phone numbers. The officers had taken everyone's property (including cell phones) before putting people into the holding cells.

32. I was not able to make a phone call from inside the holding cell.

33. On the morning of September 13, 2025, at approximately 10 or 10:30 a.m., I was called out of my cell and taken into the central area for processing.

34. I sat on a bench while a different, dark-skinned federal officer was sitting at a computer processing my case. After he had begun processing my case, he called over a senior officer who spoke Spanish with a Mexican accent. The senior officer appeared to be in charge.

35. The dark-skinned officer appeared to be talking to the senior officer about something he had seen on the computer. They were speaking in English, which I do not speak well, but I understood the dark-skinned officer to be asking the senior officer something about why I was there if I didn't have a criminal record. I recall that in response the senior officer shrugged and said something in English that included the word "Biden." It appeared to me based on the gestures he was making that the senior official was explaining that I entered the country during the Biden administration.

36. While he was processing my case, the dark-skinned officer asked me if I would accept deportation. I told him that I refused and that I wanted to see a judge.

37. I repeatedly asked the senior officer to allow me to make a phone call, perhaps three or four times.

38. The senior officer eventually took me to the back of the central area, where detainee property was kept. My property was there in a transparent bag with my name on it. He gave me my cell phone from the bag.

39. I then called my wife from my cell phone. The senior officer insisted that I must put the phone on speakerphone. He was standing close to me and was listening to both sides of the conversation. The officer was always next to me during the entire call.

40. My wife told me that she was outside of the Broadview facility and that my lawyer, Kevin Herrera, was right next to her.

41. My wife handed the phone to my attorney, Kevin Herrera. Mr. Herrera began speaking to me and asking me questions.

42. The senior officer heard Mr. Herrera's voice on the speakerphone. He asked me who I was speaking to. I told him that it was my lawyer. My lawyer told me that he was outside and that people were protesting. When the senior officer heard my lawyer tell me that, the senior official told me to write down Mr. Herrera's phone number and to hang up the phone.

43. The senior officer did not allow me to have any further conversation with my lawyer. I wrote down some phone numbers. Mr. Herrera then passed the phone back to my wife and I told her that the officer was telling me that I had to hang up the call. The officer then reached over and hung up the call himself by pressing the "hang up" button on my cell phone while I was still holding it.

44. The senior officer then told me to turn off the phone to preserve my battery. I believe this was a pretext for hanging up the call. It was clear to me that he did not want me to be able to speak with my attorney and hung up the phone for that reason. He took my phone away and put it back in the bag with my other property. I have not been able to access my phone since then. I was not allowed to talk to my lawyer again while at Broadview.

45. I was not able to get any legal advice from my lawyer because the officer was listening and hung up the call.

46. I did not feel comfortable speaking freely with my lawyer or my wife because the senior officer was listening to everything.

47. The phone call was very short, perhaps 2-3 minutes. Other people had been allowed to make phone calls to family members that lasted 5-10 minutes.

48. After I spoke with my wife and lawyer, and after the senior officer heard that my wife and lawyer were outside the facility, the senior officer and the other officer continued to process my paperwork. It took a long time, perhaps one hour. At some point I asked the officer if they were going to release me. The dark-skinned officer said he did not know.

49. During that period, the senior official told me that I needed to sign a paper. I did not know what the paper was. They were in English and nobody translated them for me. I do not read English.

50. I told the senior official that I did not want to sign. I told him that my lawyer had told me not to sign anything.

51. The senior official continued to insist that I had to sign the paper. He said that the paperwork had something to do with me being transferred to Michigan and that I had to sign. I told him again that I did not want to sign anything. The senior official insisted that I do so.

52. I was at that time overcome with emotions, having been arrested so suddenly and having spoken with my wife who was just outside the detention center. At the insistence of the senior officer, I eventually relented and signed at the bottom of the paper.

53. I still do not know what the paper that I signed was or what it said. It was never translated for me, and I was never provided a copy.

54. After I signed the paper and they finished processing me, I was told to sit and wait on one of the other benches in the central area. Other people who were being processed were put back into the holding cells, but I was not.

55. While I was sitting in the central area, officers called 15 names from a list and took those people to be loaded onto a van going to a detention facility in Michigan. My name was not on that list.

56. After they took the 15 people to the bus, they kept me sitting on the bench in the central area for approximately 30 more minutes. I could see that officers were doing more paperwork for my case. They then added my name to the list of people going on the bus at the last minute.

57. I was taken out of the Broadview facility onto the bus at approximately 12 or 1 p.m. The bus was black in color.

58. There were 13 men and 3 women on the bus, including me. I learned that the 15 other people on the bus had existing court dates scheduled in Michigan. I had not been told of any court date in Michigan and had not been provided any paperwork to that effect. I was the only one on the bus who had not been notified of an upcoming court date in Michigan.

59. It appeared to me that I was added to the group on the bus to Michigan at the last minute, after the senior official listened to me speaking to my wife and attorney on the phone. I suspect they decided to put me on the bus that day because they learned that my wife and attorney were there at Broadview. It appeared to me that after the senior officer heard me speak to Mr. Herrera, he mobilized to move me to Michigan.

60. I was taken to the North Lake Processing Center in Baldwin, Michigan. I remain detained there today.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 14th, 2025, at the North Lake Processing Center, Baldwin, Michigan.



Willian Gimenez

EXHIBIT 14

DECLARATION OF MARTIN TEMICH POLITO

I, MARTIN TEMICH POLITO, make the following declaration based on my personal knowledge:

1. My name is Martin Temich Polito and I am competent to make this declaration.
2. I was detained at the Broadview ICE facility from the afternoon of Sunday, September 28, 2025, to the morning of Monday, September 29, 2025.
3. When I got to Broadview, an ICE officer searched me and took all my belongings, including my shoelaces. They took off the handcuffs at this time.
4. An officer fingerprinted me and gave me two pieces of paper. The paperwork was in English, so I did not understand most of it because I only speak Spanish. I understood that it said I had a court date in October. The paperwork listed my address as a Texas detention center, but I was in Chicago, and I never went to a Texas detention center.
5. The officer asked if I wanted to appeal my case or leave voluntarily. He told me to sign the document if I wanted to leave voluntarily. I told him that I did not want to leave voluntarily, and I wanted to appeal my case. I did not sign the document.
6. I asked the officer if I would get a lawyer. The officer responded that the government would give me a lawyer after I was transferred out of Broadview.
7. I was never given the opportunity to talk to a lawyer the entire time while I was at Broadview. I did not receive any information on my rights or a list of lawyers to contact for legal assistance.
8. I was allowed to make a brief call on my personal phone to my family. They did not know where I was. I told them that I was detained by ICE.

9. I later learned that my coworkers tried to find me on the ICE detainee locator website after I was taken. I did not show up in the system for a while. I then briefly showed up on the website but disappeared again after 5 or 10 minutes.
10. I received the document which stated that I had a court date at the Port Isabel Service Processing Center in Texas on October 16, 2025.
11. I was held in two different rooms at Broadview. The first one was a smaller room. There were about 7-8 people in that room.
12. The smaller room had one toilet. There was no privacy when using the toilet. Everyone in the room could fully see people while they used the toilet. There was a glass window, so people outside the room could also see when people inside the room used the toilet.
13. ICE processed me and then placed me in a slightly larger room. I estimate that this room was about 4 meters by 4 meters. There were around 30-40 other people in the room, and it was very crowded and very dirty. There were empty water bottles and trash on the floor. The only furniture was some plastic chairs.
14. This room had two dirty toilets with a sink attached. There was a short wall next to the toilet, about one meter tall. The wall only provided some privacy for people using the toilet from the waist down.
15. There were two showers in the bigger room, but neither one worked. I did not receive soap, toothpaste, a toothbrush, or any other hygiene products.
16. I could not sleep while I was at Broadview because there were too many people around me. There were no beds or mattresses to sleep on. Some people tried to sleep slouched over on the chairs and others tried to sleep on the floor. I tried to sleep on the floor.

17. It was extremely cold and I was wearing shorts. I asked for pants because I was very cold. I was eventually given a pair of sweatpants, but I was still very cold. I did not receive anything else to keep me warm. This made it difficult to sleep.
18. Some people had thin plastic-like blankets which rustled loudly, making it difficult to sleep. There was a lot of movement due to all the people in the room, which also made it difficult to sleep.
19. I was only given one small sandwich and one small bottle of water around 6:00 or 7:00 p.m. on Sunday. I was not given any more food or water at Broadview. This was not enough food or water for me.
20. I did not eat or drink again until Monday afternoon when I was on the airplane.
21. On Monday, September 29, 2025, around 9:00 am, I was taken out of Broadview and placed in a van and taken to the airport. I was then placed on a plane with around 50 other people. Almost everyone who was detained at Broadview with me was taken out at the same time. The plane stopped in Indiana, where more people got on. Then, the plane went to Texas.
22. Once we arrived in Texas, I was placed on a bus. I asked an official where we were going. He told me we were going to Matamoros Bridge. The bus took us to the Mexico-U.S. border. Once we arrived at the border, I was instructed to get off the bus and cross the border. I complied.
23. I was confused to have been deported because I did not sign any documents. I told the officer at Broadview that I did not agree to voluntary departure and I wanted to appeal my case. I was not given any opportunity to speak with a lawyer before I was removed.

This declaration was read to me in Spanish, a language that I know and understand. I declare under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 16, 2025, in Veracruz, Mexico.

Esta declaración me fue leída en español, un idioma que conozco y comprendo. Declaro bajo pena de perjurio, conforme a las leyes de los Estados Unidos, en 28 U.S.C. § 1746, que lo anterior es verdadero y correcto.

Ejecutado el 16 de Octubre, 2025, en Veracruz, México.



Martin temich.polito (Oct 16, 2025 18:06:44 MDT)

Martin Temich Polito

CERTIFICATE OF TRANSLATION

I, Maikel Arista-Salado, certify that I am fluent in both the English and Spanish languages and that I am competent to translate between them. I have read the attached declaration to Martin Temich Polito in Spanish, and he confirmed that he understood and agreed to its contents before signing.

Date: October 16, 2025.



Maikel Arista-Salado, Paralegal

EXHIBIT 15

DECLARATION OF VALENTIN TOTO POLITO

I, Valentin Toto Polito, make the following declaration based on my personal knowledge:

1. My name is Valentin Toto Polito. I am competent to make this declaration.
2. On Sunday, September 28, 2025, I was arrested by ICE, handcuffed, and brought to the Broadview ICE facility around 2:30 or 3:00 p.m. with about five other people.
3. When I got to the security area at Broadview, the officers took off the handcuffs and took all my belongings, including my phone, belt, money, wallet, identification, and shoelaces. They put me in a small room with about 10 other people.
4. The officers took other people out to process them. I was one of the last ones processed.
5. Around 6:00 p.m., about 3.5 hours after I arrived, an officer took me out of the room to an open area for processing. The officer asked me questions about myself in Spanish and filled out paperwork.
6. I asked the officer for a phone call. The officer told me I could only use the landline phone on his desk. I asked if I could check my cell phone to get my family's phone numbers, but he refused. The officer put me back in the cell.
7. About 30 to 40 minutes later, the officer pulled me out of the cell again. The officer had 3 to 4 pieces of paper. The paperwork was in English. I did not understand most of it because I do not understand much English. I remember one page said something about a court date in Texas on October 16.
8. The officer tried to make me sign a document, which was written in English. He said if I wanted to leave voluntarily, I should sign the document.
9. I refused to sign. I told him that I needed somebody to translate the document into Spanish because I cannot read English. The officer did not translate the document into

Spanish or explain its contents. I told the officer that I did not know my rights, and I did not know what I was being asked to sign. He told me that it did not matter if he did not sign the document because the outcome would be the same. I did not sign the document.

10. There was a Spanish speaking officer nearby. I asked him what the consequences would be if I signed the document. He said not to worry. He told me that I did not need an attorney now, that I could talk to an attorney later when I got to Texas. He told me that it did not matter if I signed the document or not, the result would be the same. I still refused to sign. I was never able to speak to a lawyer.
11. The officer gave me the document with a court date and a document with phone numbers for lawyers and then put me back in the cell.
12. I repeatedly asked the officers if I could make a phone call. The officers kept telling me to wait ten minutes, but they never let me make a call. I never got to make a phone call. I was never able to call any of the phone numbers for legal support.
13. I did not have access to my phone the entire time I was at Broadview. I got my phone back before crossing the border. By then, it had run out of battery.
14. I was detained in a small and dirty room at Broadview. There was one toilet out in the open in the corner of the room. There was nothing separating the toilet from the rest of the room, so everyone could see people using the toilet. There was no privacy. There was a large window so people outside the room could see into our room.
15. I was not given soap, toothpaste, a toothbrush, or anything to wash myself. I did not have access to a shower.

16. I could not sleep at Broadview. There were no beds or mattresses, only about 8 hard and uncomfortable plastic chairs. At least three or four other people in my room also did not sleep at all.
17. The temperature in the room fluctuated between extremely hot and extremely cold. It was very uncomfortable. I was only wearing shorts and a T-shirt. They did not give me a blanket or any clothes to keep warm.
18. We were not given enough food or water. I was given one small Subway sandwich with ham and lettuce and a bottle of water around 6:00 p.m. on Sunday.
19. I did not receive any other food or water while I was at Broadview. When we asked officers for water, the officers ignored us. I did not eat or drink until around 2:00 p.m. the next day when I was on the airplane.
20. The next morning, the officers put me into another cell. The room was full, with about 30 other men.
21. I asked about 5 other men detained with me if they signed any documents. Most of them said they did not sign anything.
22. Around 9:00 a.m., they took us outside and put handcuffs and shackles on us. I was taken out of Broadview and put on an airplane with about 45 other men. Almost everyone who was at Broadview was on the airplane. They did not tell us where we were going. People kept asking where we were going. They eventually told us we were going to Indianapolis.
23. The plane stopped in Indianapolis, but I did not get off. I got off the airplane in Texas. The officers at Broadview told me I would have the chance to talk to an attorney or the Mexican consulate in Texas. But this did not happen. We were moved from the airplane

onto a bus and taken to the border crossing. Once we arrived at the border crossing, officers told us to go through. I walked about fifteen feet and crossed the border.

24. On the Mexican side of the border, Mexican police were waiting for us and informed us of our next steps.

25. Later, my coworkers told me that they were trying to find me using the ICE online detainee locator (<https://locator.ice.gov/odls/#/search>), but I did not appear in the system at all on Sunday. They told me that my information briefly appeared for a few minutes early on Monday, but when they looked again 5-10 minutes later, it had disappeared.

This declaration was read to me in Spanish, a language that I know and understand. I declare under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 17, 2025, in Mexico City, Mexico.

Esta declaración me fue leída en español, un idioma que conozco y comprendo. Declaro bajo pena de perjurio, conforme a las leyes de los Estados Unidos, en 28 U.S.C. § 1746, que lo anterior es verdadero y correcto.

Ejecutado el 17 de Octubre, 2025, en la Ciudad de México, México.



Valentin Toto Polito (Oct 20, 2025 12:55:47 MDT)
Valentin Toto Polito

CERTIFICATE OF TRANSLATION

I, Maikel Arista-Salado, certify that I am fluent in both the English and Spanish languages and that I am competent to translate between them. I have read the attached declaration to Valentin Toto Polito in Spanish, and he confirmed that he understood and agreed to its contents before signing.

Date: October 17, 2025.

A handwritten signature in black ink, appearing to read 'Maikel Arista-Salado', is written over a horizontal line.

Maikel Arista-Salado, Paralegal

2025.10.12 Valentin Toto Polito Draft Decl Copy

Final Audit Report

2025-10-21

Created:	2025-10-17
By:	Jamia Russell (jamia.russell@macarthurjustice.org)
Status:	Signed
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"2025.10.12 Valentin Toto Polito Draft Decl Copy" History

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-  Document emailed to vtoto1861@gmail.com for signature
2025-10-17 - 5:30:54 PM GMT
-  Document emailed to Maikel Arista-Salado (marista-salado@macarthurjustice.org) for signature
2025-10-17 - 5:30:54 PM GMT
-  Email viewed by vtoto1861@gmail.com
2025-10-17 - 5:41:36 PM GMT
-  Signer vtoto1861@gmail.com entered name at signing as Valentin Toto Polito
2025-10-20 - 6:55:45 PM GMT
-  Document e-signed by Valentin Toto Polito (vtoto1861@gmail.com)
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-  Email viewed by Maikel Arista-Salado (marista-salado@macarthurjustice.org)
2025-10-21 - 8:09:06 PM GMT
-  Document e-signed by Maikel Arista-Salado (marista-salado@macarthurjustice.org)
Signature Date: 2025-10-21 - 8:09:23 PM GMT - Time Source: server
-  Agreement completed.
2025-10-21 - 8:09:23 PM GMT



EXHIBIT 16

DECLARATION OF JOSE GUERRERO POZOS

I, JOSE GUERRERO POZOS, make the following declaration based on my personal knowledge:

1. On August 6, 2025, I was arrested by federal officers when leaving court. They handcuffed me and shackled at the feet outside the courthouse and they took me to the detention facility in Broadview, Illinois.
2. When I got to Broadview, I was questioned by a female deportation officer. She told me I could make one call with my cell phone.
3. There was no privacy or confidentiality. The officer was right in front of me and listened to my call. There were other detainees and officers around me.
4. I called my brother but he didn't answer. She then took my phone away.
5. The officer told me to sign a form. The form was in English. I did not understand the document. She did not provide a Spanish form.
6. The officer did not explain the document. She was speaking to me in Spanish so I asked her to translate the form, but she refused, she just kept telling me to sign it.
7. She did not tell me I could talk to an attorney.
8. I refused to sign the form. I explained that I would not sign something I did not understand.
9. The officer became angry at me. She told me if I did not sign the form and insisted on my rights, things would go badly for me.
10. She had the officers put me in a room without a camera. I stayed there for a while.
11. When the officers brought me out of the room, the officer started interrogating me. She went through my entire criminal history. She tried to intimidate me. She told me that my case does not look good.
12. I told her if she was discussing my case, I wanted to talk to a lawyer. She again became upset and insulted me.
13. I said I had a right to talk to a lawyer. She told me I did not need to talk to a lawyer.

14. She did not give me my cell phone to call my attorney.
15. Later, she gave me a piece of paper with phone numbers for immigration service providers. She also gave me a calling card that was supposed to have five minutes of time on it. The card did not work.
16. There was one phone in the holding room and so everyone had to wait to use it. There was no privacy or confidentiality.
17. The code on the calling cards did not work for the majority of people, but the officers refused to help.
18. I was not able to speak to my attorney or call anyone else the entire time I was at Broadview. The first time I spoke to a lawyer was when I got to a detention facility in Kentucky.
19. I spent one day at Broadview.
20. I was held in a small holding room with about 10 other men. Some of them had been there for days. It filled up as more people came in.
21. We were not allowed to talk to each other. If we tried, the officers silenced us.
22. There was also a larger holding room. The room looks like it should have held a maximum of around 30 people but they put double the number of people in there. There looked to be around 60 people. It was absolutely packed.
23. There was a separate room for women. There appeared to be around 30 women in there.
24. I could see into the other holding rooms because they were only divided by glass.
25. There were makeshift offices right next to the holding rooms. The offices did not have doors, just desks and computers. There were approximately two rows of desk with about 15-20 makeshift offices. The officers in that area could see and hear everything in the holding rooms.
26. There were no beds, sleeping pads, pillows, or bedding. There were no tables. There was no place to sleep. You could try to sleep by sitting on a hard plastic bench up against the wall. If you were lucky, you got a foil "blanket" to cover yourself.

27. There was a toilet in the holding room. There was no privacy. Other detainees—including the women and men in the other rooms—could see into our bathroom area.
28. The women's bathroom was visible to people in the men's holding rooms and to the officers.
29. The officers watched when we went to the bathroom.
30. There was no sink to wash your hands. There was no water, soap, or hand sanitizer. There were no showers. We had to ask the officers for toilet paper.
31. There was no medical unit. We had no access to medical services.
32. When people asked for medical attention, the officers told them to be quiet.
33. For example, people told the officers that their head hurt or they needed medication. The officers did not give them anything.
34. We had no access to drinking water, not even a sink. The only way to get water was for the officers to provide us with bottles. Everyone was asking for water but the officers would not give us any. In fact, they got upset when we asked and said they did not want to give us any water.
35. When I asked the female officer who interrogated me for water, she said there is no water and to stop bothering her.
36. We did not receive a proper meal. The whole day, I was only given a small amount of bread. It might have had some mayonnaise or another spread on it.
37. The officers threw the bread into the room through a little window in the door.
38. There was no special diet for people with medical or religious needs. Some detainees were diabetic but they got the same food as the rest of us.
39. Broadview is a very bad place. It does not have the basic necessities needed to hold people. They prevent us from talking to our lawyers and then move people out of state as quickly as possible.

This declaration was read to me in Spanish, a language that I know and understand. I declare under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct. Executed on October 17, 2025, at Guanajuato, Mexico.

Esta declaración me fue leída en español, un idioma que conozco y comprendo. Declaro bajo pena de perjurio conforme a las leyes de los Estados Unidos de América, de acuerdo con la seccion 1746 del titulo 28 delCodigo de los Estados Unidos, que lo anterior es verdadero y correcto. Firmado el 17 de octubre, 2025, en Guanajuato, Mexico.



Jose Guerra Pozos (Oct 19, 2025 08:18:48 MDT)

CERTIFICATE OF TRANSLATION

I, Maikel Arista-Salado, certify that I am fluent in both the English and Spanish languages and that I am competent to translate between them. I have read the attached declaration to Jose Guerrero Pozos in Spanish, and he confirmed that he understood and agreed to its contents before signing.

Date: October 17, 2025.



Maikel Arista-Salado, Paralegal

2025.10.16 Jose Guerrero Pozos - FINAL FOR SIGNATURE

Final Audit Report

2025-10-19

Created:	2025-10-17
By:	Jamia Russell (jamia.russell@macarthurjustice.org)
Status:	Signed
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"2025.10.16 Jose Guerrero Pozos - FINAL FOR SIGNATURE" History

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2025-10-17 - 5:23:40 PM GMT
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-  Email viewed by kintosol1010@hotmail.com
2025-10-19 - 2:17:46 PM GMT
-  Signer kintosol1010@hotmail.com entered name at signing as Jose cruz guerrero posoz
2025-10-19 - 2:18:46 PM GMT
-  Document e-signed by Jose cruz guerrero posoz (kintosol1010@hotmail.com)
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-  Agreement completed.
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EXHIBIT 17

DECLARATION OF JOHN DOE¹

I, John Doe, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I was arrested by ICE in late September 2025 and held at Broadview detention facility for four days.
2. It took about 5 hours to get to Broadview after my arrest. I was handcuffed and placed in leg shackles and a waist chain the whole time.
3. I saw four holding rooms at Broadview. I spent one day in a small room with about 50 other people and the remaining time in a different room with about 100 other people. There was one room for women.
4. The rooms were very crowded. I had to fold my legs while seated on the floor. There was no room to extend my legs. There were people all over the floor.
5. There was one toilet in the first room and two toilets plus a shower in the second. People had to use the bathroom in view of everyone else. The bathrooms did not have a door or barrier. There was no privacy. I did not use the shower.
6. There were a couple of couches in each holding room. Some people found room to sleep on the couches, including on the back of the couch. Everyone else slept on the floor.
7. I slept on the couch one night and on the floor the remaining nights. The floor was very cold. The officers did not give me a blanket or extra clothing. I spent the four days wearing the same clothes I was wearing at the time of my arrest.
8. The room was so full of people that my body was touching those sleeping around me. I could not reach the bathroom during the night because the floor was completely covered with people lying down to sleep.
9. It was difficult to fall asleep because the officers kept the lights on throughout the night. They never turned them off.
10. There was a phone in the holding room I was in. People took turns to use it for short 5 to 10 minutes calls. I called my wife every day using that phone. It cost her \$100 to take my calls.
11. The room was dirty and we were not given any hygiene products. There was no soap or toothcare products.
12. ICE officers gave each person a small water bottle three times per day.

¹ See *United States v. Abu Marzook*, 412 F.Supp.2d 913, 923–24 (N.D.Ill.2006) (Pseudonyms can be used when a witness's safety must be maintained); see also *United States v. Cavallaro*, 553 F.2d 300, 304 (2d Cir. 1977) (same).

13. ICE officers gave each person a 6-inch subway sandwich once a day. I told the officers I have a religious diet and could not eat the sandwich. They told me it is my choice to take it or leave it. I did not eat the whole time I was at Broadview.
14. On the second day of my detention, an ICE officer took me to the open area that had working stations for the officers. He took my fingerprints and asked me questions about my immigration status.
15. The officer held a paper for me to sign. The paper had my fingerprints and a line for my signature and a line for the signature of the ICE officer. I told him I do not want to sign the paper without reading it. The officer did not let me read it and told me to just sign and not worry about it. I refused to sign.
16. The officer did not explain to me what was in the paper. He did not tell me I had the right to speak with a lawyer.
17. I saw officers push around two Hispanic men and to get them to sign the paper. I did not see what happened next.
18. I saw an ICE officer pin a 60-year-old man to the floor with the officer's knee on the man's back, while another officer held the man in a headlock.
19. I am signing this declaration using a pseudonym because I have a pending application to USCIS and fear retaliation from federal law enforcement authorities if I my true identity is revealed in a public document.

Executed on 18th of October 2025, in Chicago, IL

JOHN DOE (Oct 21, 2025 12:14:10 CDT)
John Doe

EXHIBIT 18

DECLARATION OF JOHN CERRONE

I, JOHN CERRONE, make the following declaration based on my personal knowledge:

1. My name is John Cerrone. I am competent to make this declaration.
2. On September 26, 2025, I was arrested by federal agents while attending a public demonstration near the Broadview ICE facility in Broadview, Illinois.
3. After I was arrested, I was brought inside the Broadview facility through what appeared to be a garage. Agents searched me and took all of my belongings, including my boots. I was left in my socks; they did not provide me with shoes.
4. Agents put me in a small cell by myself. The cell had two rubber chairs. The cell was very dirty. There were multiple splotches of what appeared to be blood and other bodily fluids on the walls. There was one sink in the cell, which was disgusting. It had hair and what looked like blood and mucus in it.
5. The room was freezing cold. It seemed like the AC was turned all the way up to make the room as uncomfortable as possible.
6. Before being arrested, I had been shot with pepper balls and tear gas. I was also shot in the head with rubber-coated bullets. My clothes were covered in chemicals from the tear gas and pepper balls, as was my face and body. When I was brought inside Broadview, I could not see very well because of the tear gas and pepper spray. They did not offer me any medical attention, so I was forced to use the filthy sink to try to wash the chemicals out of my eyes. There was no soap in the cell. I spent between 2 to 4 hours in this small cell.
7. I was then handcuffed and then taken to another room. I remained handcuffed for the rest of the time I was detained inside Broadview, about 5 to 7 hours.

8. The room they brought me to looked like an attorney visitation room. There was a big glass window and wall separating the two halves of the room, and there were phones on either side of the window that could be used to talk to a person on the other side. Another person was detained on the other side of the window.

9. I was by myself in this room. While I was detained, I asked agents multiple times for a phone call and asked them multiple times to speak with my lawyer. They never allowed me to make a phone call, and they ignored me when I asked to speak with my lawyer. They did not allow me to speak with my lawyer at any time while I was inside Broadview.

10. Around 6:00 pm, a DHS agent came into the attorney visitation room. He immediately began coughing and commented that I had a lot of gas on me. I was still in clothes soaked in chemical weapons. They never offered me a change of clothes.

11. The DHS agent started to ask me questions. I told the agent I would not speak to him without speaking with my lawyer. He did not allow me to call or speak with my lawyer.

12. Later, a federal agent wearing riot gear came inside the building and stood near the door to the attorney visitation room. He asked, "where's the pussy at?" and bragged to other agents about how he shot me in the head with rubber bullets. He described how he was "shooting this guy in the head," referring to me, and that "they kept bouncing off." He also said that I "might have a screw loose." The agents in the building knew that I had been shot in the head with rubber-coated bullets, but they never asked about my condition or offered me medical care.

13. Shortly before I was released, another DHS agent came back into the attorney visitation room where I was being held. He asked me to sign a citation. I asked him for my glasses, which were in my backpack that they took when they arrested me. The agent responded,

“That’s okay, you don’t need your glasses.” He asked me to sign the citation without my glasses.

I refused to sign anything and asked for my lawyer.

14. While I was detained at Broadview, I received one 6-inch Subway sandwich. I received no other food.

15. I was detained inside Broadview for about nine hours.

I declare under penalty of perjury under the laws of the United States of America and pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 21, 2025 in Chicago, Illinois.



John Cerrone (Oct 21, 2025 18:44:14 CDT)
John Cerrone

2025.10.17 John Cerrone Draft Decl.rev10.21

Final Audit Report

2025-10-21

Created:	2025-10-21
By:	Jamia Russell (jamia.russell@macarthurjustice.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAreIDnoj-SBPvMhR2wwLFYfqpxc7YmTgf

"2025.10.17 John Cerrone Draft Decl.rev10.21" History

 Document created by Jamia Russell (jamia.russell@macarthurjustice.org)
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2025-10-21 - 11:41:52 PM GMT

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 Signer johnfree0104@proton.me entered name at signing as John Cerrone
2025-10-21 - 11:44:12 PM GMT

 Document e-signed by John Cerrone (johnfree0104@proton.me)
Signature Date: 2025-10-21 - 11:44:14 PM GMT - Time Source: server

 Agreement completed.
2025-10-21 - 11:44:14 PM GMT

EXHIBIT 19

DECLARATION OF JASMINE PEDRAZA

1. I JASMINE PEDRAZA, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct.

2. I am an immigration lawyer based in Elgin, Illinois, at the Law Offices of Shirley Sadjadi, P.C., and I have practiced for about seven years. I have represented clients detained at Broadview Processing Center (“Broadview”), 1930 Beach Street, Broadview, Illinois, by U.S. Immigration and Customs Enforcement (ICE) and the Department of Homeland Security.

3. From on or about the morning of September 17, 2025, until September 20, 2025, my client was detained at Broadview. I am not identifying the name of my client because he fears retaliation or other action by the federal government to interfere with his pending immigration case.

4. Before he was detained, I represented my client before the U.S. Citizenship and Immigration Services to adjust his immigration status. My client had been interviewed and was waiting for adjudication on his adjustment of status.

5. During the three days that he was detained at Broadview, I could not schedule a legal call or visit with my client. I could not speak to my client, and I did not receive any phone calls from my client.

6. During the three days he was detained at Broadview, I emailed the Chicago Field Office, Enforcement & Removal Operations for ICE at Chicago.Outreach@ice.dhs.gov multiple times to contact my client, but I did not receive any responses. I also called the Chicago Field Office for ICE at (872) 351-3990 multiple times, but the calls were disconnected each time.

7. During his detention at Broadview, my client’s daughter contacted me. Her father, my client, had three brief telephone calls with his daughter. In the calls, he described Broadview as overcrowded and said that he was only given a sandwich to eat. At some point, my client texted his daughter a photograph of a Notice to Appear, a legal document from the Department of Homeland Security that gives notice that removal proceedings may begin in immigration court. The daughter forwarded the Notice to Appear to me, and that was the last time she spoke to her father while he was in Broadview.

8. I was worried about my client because he needed medication, but there was no one that I could speak with at ICE or Broadview to assist him. I had to contact the Mexican Consulate to ask for assistance to make sure that my client had his medication.

9. On information and belief, during the three days that my client was at Broadview, he did not have access to hygienic products like soap, a toothbrush, and toothpaste, nor a shower. He did not have a bed and was given limited food and water each day.

10. On about midday Saturday, September 20, 2025, my client was transferred from Broadview to an ICE detention facility in El Paso, Texas.

Executed on the 7th of October 2025, in Elgin, Illinois



Jasmine Pedraza

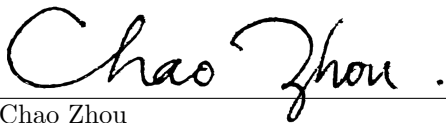
EXHIBIT 20

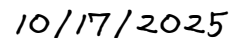
DECLARATION OF CHAO ZHOU

I, CHAO ZHOU, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am a resident of Chicago, Illinois, where I have lived since January 2022. I have lived in the United States since December 2020. I have filed a petition for asylum based on my fear of persecution by the Chinese government due to my participation in the Hong Kong democracy protests. The petition is currently pending.
2. On June 12, 2025, at 10:30 a.m., I went to my scheduled asylum interview at the United States Citizenship and Immigration Services ("USCIS") office at 181 W. Madison St. I felt optimistic about the interview because I knew I had a well-founded claim.
3. A USCIS officer checked me in and asked me to sit in the waiting room. Around 11:30 a.m., I was informed that the interview was being canceled due to unspecified "security concerns" and that it would be rescheduled. After thanking the officer, I left the building.
4. As I stepped outside, I was immediately pinned against a wall by ICE officers and handcuffed. I was then transported to ICE's facility at 1930 Beach St., Broadview, Illinois, where I was processed. I stayed at Broadview until nearly midnight on June 13, 2025, when I was transferred to Bourbon County Jail in Kentucky. I was later transferred to Kenton County Jail in Kentucky. An immigration judge in Chicago approved my bond on July 2, 2025, and I was released on July 4, 2025.
5. At Broadview, I was first held in a small room with about ten people. The temperature was very cold, although the temperature was normal in the ICE offices. There was one stainless steel toilet, visible to everyone in the room, and a window through which we could see the ICE offices and a women's holding room. There were two phones on the wall that no one could figure out how to use. Requests for phone cards were denied. I was able to reach my attorney only by placing a collect call.
6. At night, we were moved to a larger room with around 50 seats and 15 people. There were two toilets available that were exposed to the room and afforded no privacy. There was no opportunity to bathe or shower. There was a shower fixture in the room, but a sign on it read "out of order." The room stank of body odor.
7. At night, it was impossible to sleep. The room was freezing cold. There were no beds or mats to sleep on. Instead, we each lay across three seats. We had no bedding, but two metallic foil blankets. The blankets made a loud rustling noise that continued all night. The bright lights in the room were kept on all night.
8. The following day, we remained in the larger room, but many more men were added. Some had to sit on the floor.

Executed on the 12th of October, 2025 in Chicago, Illinois.


Chao Zhou


10/17/2025

Date

EXHIBIT 21

DECLARATION OF SAMUEL ALEJANDRO OCHOA OCHOA

I, SAMUEL ALEJANDRO OCHOA OCHOA, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. My name is SAMUEL ALEJANDRO OCHOA OCHOA.
2. I was detained at Broadview Processing Center (“Broadview”), 1930 Beach Street, Broadview, Illinois, twice this year. The first time was around June 12, 2025, and the second time was about September 8, 2025, until the night of September 9, 2025.
3. In June, when I went to Broadview, the officers processed my paperwork and then sent to me a detention center in Kentucky. I spent the next three months detained in Kentucky.
4. On or about early September 2, I was transferred to Clay County Jail in Brazil, Indiana and then sent to a detention center in Texas. After a few days in Texas, I was brought back to Indiana and then taken back to Broadview, Illinois. I did not understand why ICE was taking me to Broadview.
5. Most of the ICE officers at Broadview speak Spanish, which is my first language. When I got to Broadview on September 8, I asked to call to my attorney, but the ICE officer told me no and did not provide me with any information about attorneys.
6. I was taken to a cell with a public telephone and I was allowed to use it briefly to make a call to my partner. He had to put money on a calling card to talk to me. It was not a private call and everyone could hear me, including ICE officers.
7. I spent about 24 hours in Broadview in a cell with 30 other men. The cell seemed only large enough to hold fifteen men. The men’s cell had no beds. There were plastic chairs that some men were sitting on. The rest of the men had to lie on the concrete floor or stand up.
8. The men’s cell was extremely cold, and I did not have a blanket. The lights were on the entire time, including at night. I had to lie down on the cold concrete floor. Due to the cold, the lights, and the cold floor, I could not sleep.
9. In the men’s cell, there was no soap or any ability to wash or sanitize my hands or keep clean. No one offered me a shower or a change of clothes.
10. In the men’s cell, there was a toilet, but there was no privacy, and other men could see when a person used it. The cell had a window that looked out into where the ICE agents processed detainees, and others could see when the men used the bathroom.
11. From the men’s cell, you can see into the women’s cell, and there was no privacy.
12. In the women’s cell, I saw a pregnant woman. She asked the ICE officers for medication that she needed, but they would not provide her with any medication.

13. During the time that I was at Broadview, I was sick. I had a fever and a sore throat, and I was taking the medicine prescribed to me while I was in Texas. I had one dose with me when I arrived at Broadview. I was supposed to take this medicine every eight hours. I asked the ICE officers to give me medication because I was sick, but they said no. I told an ICE officer that I might have COVID. I asked for a COVID test, but I got no answer. I did not receive any medicine or COVID test for entire time that I stayed at Broadview.

This declaration was read to me in Spanish, a language that I know and understand. I declare under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 23, 2025, in chicago.

Esta declaración me fue leída en español, un idioma que conozco y comprendo. Declaro bajo pena de perjurio, conforme a las leyes de los Estados Unidos, en 28 U.S.C. § 1746, que lo anterior es verdadero y correcto.

Ejecutado el 23 de Octubre, 2025, en chicago.

Samuel Ochoa
Samuel Ochoa Ochoa

CERTIFICATE OF TRANSLATION

I, Carolina Baizan, certify that I am fluent in both the English and Spanish languages and that I am competent to translate between them. I have read the attached declaration to Samuel Ochoa Ochoa in Spanish, and he confirmed that he understood and agreed to its contents before signing.

Date: October 27, 2025.

CP
Carolina Baizan

EXHIBIT 22

DECLARATION OF KIMBERLY WEISS

I, Kimberly Weiss, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an immigration attorney with approximately 20 years of experience. I am licensed to practice law in the State of Illinois, and I represent clients before U.S. Citizenship and Immigration Services (USCIS), U.S. Immigration and Customs Enforcement (ICE), and the Executive Office for Immigration Review (EOIR), including the Chicago Immigration Court. My practice includes removal defense, family-based immigration, hardship waivers, and humanitarian relief such as widower petitions under INA § 201(b)(2)(A)(i).
2. I have represented multiple clients who have recently been detained at the ICE Broadview facility located at 1930 Beach St. in Broadview, Illinois.
3. As of this writing, I have a client currently at Broadview. He is a 65-year-old man. He was arrested by ICE and taken to Broadview on Monday, October 13, 2025. I filed my G28 and uploaded a bond packet and custody redetermination motion through e-service and ECAS (EOIR Courts & Appeals System), the immigration court filing system. His adult daughters have not heard from him in more than 48 hours.
4. Another one of my clients is a 56-year-old widower and single father to four children. He entered legally and had a work permit, Social Security number, and driver's license. He is a fully trained and certified union journeyman roofer. His U.S. citizen wife passed away this year, leaving him as the sole caregiver to their four U.S. citizen children.
5. On Sunday, October 12, 2025, ICE arrested my client outside his home. His minor children contacted me terrified. That same evening, I opened his case, filed a motion for bond, a motion to redetermine custody so he could be released, my appearance form, and an emergency stay of removal to stop deportation. The court responded immediately and granted a hearing for this week.
6. My client had a strong case. He is the surviving spouse of a U.S. citizen and therefore eligible to seek relief through a widower (I-360) petition. He was also the father and primary caregiver of four U.S. citizen children. He had lived in the United States for decades, worked steadily, and had deep family and community ties. He was doing everything right. He also qualifies for Adjustment of Status through one of his adult U.S. citizen children, since his last entry to the U.S. was lawfully inspected.
7. But the conditions inside the Broadview Detention Center were so inhumane that he couldn't bear it. He described people being carried out on stretchers; he wasn't sure

whether they were alive or dead. Detainees were not allowed to drink water. The air was thick and suffocating. He said people were gasping for breath, and he saw some going into cardiac arrest.

8. Officers threatened him repeatedly to sign his own voluntary deportation. They used an ICE agent as a “translator” to lie about what the document said. He didn’t have his glasses and couldn’t read the document, but he was terrified he’d be next to collapse from the unbearably thick air and lack of access to water, leaving his children an orphan since their mother passed away earlier this year. He signed under duress on Thursday, October 16, 2025, after being held at Broadview since Sunday, October 12, 2025. They told him, “You have no rights here,” and, “if you don’t sign, you’ll stay in jail for fifteen years.”
9. By the time he signed on Thursday, October 16, 2025, I had already filed my attorney appearance, and a court date was already set for a bond/custody hearing. He told the ICE agents he had a lawyer. But by the afternoon, he was already on the other side of the border.
10. His 12-year-old daughter, already grieving the loss of her mom earlier this year, now has to process the loss of her father too. His other children, all U.S. citizens, are likewise struggling with the sudden and permanent separation from their only surviving parent.
11. There’s no accountability for what happens inside Broadview. It’s overcrowded, filthy, and cruel. People are coerced into signing away their rights under conditions that amount to psychological and physical torture. Attorneys are often unable to intervene in time, even when court hearings have already been scheduled.
12. They keep transferring people into the facility even when there is no room for them. Elected officials are regularly denied access to see what’s happening inside. And there’s no system for oversight, even when conditions amount to torture.

I declare under penalty of perjury under the laws of the United States of America and pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 18, 2025, in Chicago, Illinois.


Kimberly Weiss

EXHIBIT 23

DECLARATION OF ROBERT HELD

I, Robert Held, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an attorney with Held Law Offices in Chicago, Illinois. I practice trust and estate litigation. I am 68 years old.
2. Over the past several weeks, I have attended several protests at the ICE facility at 1930 Beach Street in Broadview, Illinois ("Broadview").
3. On Saturday, September 27, 2025, I went to Broadview at about 12:30 pm to attend a protest. At around 5:30 p.m., I was standing near one of the gates outside the facility with the gate separating me from the facility. Border Patrol Commander Gregory Bovino told me and others, "All Pedestrians will move outside the road now or you will be arrested for impeding." Immediately he said, "Let's move em out" while gesturing to dozens of agents who began advancing on the protestors through the fence he had just opened. (While he was saying, "Let's move em out," I tried to ask for clarification but was drowned out and cut off.) I started backing up and eventually turned to run to the sidewalk to get out of the street. Agents ran up behind me and began chasing me. I stopped when I got to a fence, and the agents told me to get on the ground and put my hands behind my back. After I was in their custody and in handcuffs, agents put me inside a vehicle with another man who was also detained. Border Patrol Commander, Greg Bovino, approached the vehicle and said to me "Now what do you want to say to me?"
4. Agents then brought me inside Broadview to a holding room. They had taken all the items out of my pockets, including my phone, when they ordered me on the ground previously. There were several other people detained at the protest after me who were also brought to that room, including a half dozen men and one trans woman. The room had a toilet and several modular plastic chairs. The room also had windows that looked out into other parts of the facility, but agents eventually covered those windows up with paper so we couldn't see outside of the room.
5. At one point, agents took me out of the holding room and led me down a hallway to a smaller interrogation room. Three agents came into the interrogation room with me. One began asking me basic information, then stopped himself and read me my rights. He then asked me more questions, like my wife's name and what the agents had confiscated from me when I first arrived. I told them I had papers in my pocket that different organizations had handed me at the protest, but I hadn't read them. Eventually, the agent asked me where I heard about the protest, and I invoked my right to remain silent. The agents then led me back to the same holding room.
6. Later, I was brought into a room with rows of desks and benches that had handcuffs. Agents worked at the desks and sat detainees down on the benches with handcuffs to talk to them. In this room, agents photographed me, fingerprinted me, and asked more basic questions about my identity and citizenship. I was not handcuffed. At some point, I was handed a paper saying that I had been read my rights, understood them and had waived my

right to remain silent. On the other side of the document were words in Spanish. On the English side, I crossed out the language about waiving my rights and then signed and dated the paper.

7. While I was being taken between rooms, I could see into another area that was about the size of a grade school classroom. There were many people crowded into that room. I believe those were immigration detainees. It looked like they may be from Mexico or Central or South America. Everyone in that room was packed in very close. Some appeared to be sitting on benches, shoulder to shoulder with each other. I did not see any beds, and I don't think there would have been enough room for a bed given how crowded the room was.
8. Other than the time in the interrogation room and the time at the desks being photographed and fingerprinted, I spent the rest of my time at Broadview waiting in the holding room with the other people detained at the protest. There were two phones in that room, but only one worked, at least in theory. On the one phone that seemed like it might work, I tried to make several calls, including to my wife, children, and a legal hotline. I was not able to connect to anyone. Others in the room also tried to use the phones in the holding room, but no one was able to successfully get through to anyone.
9. Later, one of the agents allowed me to use a different phone that I do not think was meant for detainee use. The phone was on one of the desks where I was fingerprinted and photographed. I think the agent may have been breaking the rules by being kind and allowing me to use that phone. I believe that the official who allowed me to use the phone may have known that I was an attorney. I don't believe anyone else arrested at the protest was able to use that phone.
10. While I was in the room with the other protestors, the agents gave each detainee and me a Subway wrap. They offered us bottles of water too. The Subway wrap was not a lot of calories. One of the other people in the room gave me his sandwich.
11. Eventually, one of the other detainees complained to an agent that came into the room that my clothes were still burning my skin from the mace I had been sprayed with earlier in the day. The agents brought me a long t-shirt to substitute for my shirt that had mace on it.
12. I stayed at Broadview for about eight hours. At around 1:30 a.m., I was released without being charged along with five other protestors who had been detained.

Executed on 27 of October 2025, in Chicago, Illinois

DECLARANT

A handwritten signature in dark ink, appearing to read "Robert Held", is written over a horizontal line.

Robert Held

EXHIBIT 24

DECLARATION OF KEVIN HERRERA

I, KEVIN HERRERA, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an attorney at Raise the Floor Alliance. My practice focuses on the labor rights of low-wage workers, especially those who have been impacted by the intersection of labor violations and barriers to employment such as immigration status.
2. I represent Willian Alberto Giménez González in his immigration proceedings.
3. On September 12, 2025, I learned from representatives at Latino Union — a worker center with whom Mr. Gimenez Gonzalez is a member — that he had been arrested in Chicago, IL. Mr. Gimenez Gonzalez was with his wife on the way to the barbershop with his wife. He was stopped by two agents who asked him if he was Willian Gimenez Gonzalez, suggesting that he was a person of interest for the operation. He responded in the affirmative and was taken into custody and detained by Immigration and Customs Enforcement (“ICE”).
4. After learning that Mr. Giménez González was detained, I tried to contact him as quickly as possible.
5. I entered my client’s information into the ICE online detainer locator system (<https://locator.ice.gov/odls/#/search>), which lists the facility where an individual is detained. Clicking on the detention center in the locator generally leads to information about how to contact the client.
6. However, in Mr. Giménez González’s case, the online detainee locator system provided no information as to his whereabouts.
7. I believed that my client may be at the ICE Broadview Staging Service Area (“Broadview”) at 1930 Beach St. in Broadview, Illinois, because many individuals detained by ICE in Chicago are first held at Broadview.
8. At around 2:00 PM, I went to Broadview, in an attempt to locate my client. I knocked on the front door, but no one came to the door or responded.
9. Later, I saw two officers walking into Broadview and told them that I was an attorney and I was trying to contact my client, whom I believed to be inside Broadview. They ignored me and proceeded inside the building.
10. On the morning of September 13, 2025, a press conference was held in Broadview, IL, where Mr. Giménez González’s friends and family gathered outside of Boadview to

demand his release. Elected officials including Chicago Alder Rossanna Rodriguez and Representatives Chuy Garcia and Delia Ramirez were also in attendance, speaking out against Mr. Giménez González's arrest.

11. At the press conference, I spoke about ICE's refusal to inform us where my client was being detained, as well as our inability to contact him.
12. As the press conference was ending, at around 12:00 PM, I finally received a call from Mr. Giménez González. We were only able to speak for about three minutes. He told me that an officer was standing close to him, and that the call was not confidential.
13. Later, in a call from a separate facility, Mr. Gimenez Gonzalez informed me that the guard observing his call instructed him to get off the phone when he learned that Mr. Gimenez Gonzalez was speaking to his attorney.
14. On September 16, 2025, I received a call from my client and confirmed with him that he was relocated to the North Lake Correctional Facility in Baldwin Michigan. I am unaware whether this call was confidential, but my client seemed hesitant to share details regarding the conditions of his confinement.

Executed on 26 of September 2025, in Chicago, IL

A handwritten signature in black ink, appearing to be 'KH' or similar, written over a horizontal line.

Kevin Herrera

EXHIBIT 25

DECLARATION OF KARINA AYALA-BERMEJO

I, Karina Ayala-Bermejo, an attorney, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am the President and CEO of Instituto del Progreso Latino. I am also an attorney. I was previously the Executive Director of the Legal Aid Society.
2. On October 9, 2025 at 12:50 p.m., a 19-year-old young man named Diego Oswaldo Gonzalez Mendez was forcefully apprehended by ICE officers as he was leaving his house in the Back of the Yards neighborhood in order to go to work. ICE did not have a warrant for his arrest. Diego has no criminal history.
3. Diego is originally from Mexico. He entered the country with his family, when he was 17 years old. He was charged when he crossed the border. He has on-going court proceedings relating to that detention. His next court date is in January 2026 in Chicago.
4. I personally know Diego as he graduated from high school at the Instituto Health Science Career Academy in 2025. Diego was a great student.
5. Diego's mother was present when Diego was detained. She screamed and asked the ICE officers where he was being taken but they refused to tell her.
6. I tried to locate Diego after his arrest but could not find him as he did not show up in the ICE locator system. When I entered his A number and country of origin in the locator, the search returned a result of "zero matching records." As of October 11, 2025, he was still not showing up in the system.
7. I finally learned that Diego was located in Broadview ICE detention facility when Diego was able to call his mother on October 10, 2025.
8. After Diego's arrest, I contacted another attorney through the Hispanic Lawyers' Association of Illinois, Sal Cicero, to serve as immigration counsel for Diego. Sal filed a G-28 form. He planned to file an asylum petition on Diego's behalf while Diego was at Broadview. He is also going to seek Diego's release from detention on bond while his removal proceedings are pending, based on the fact that Diego was a minor when he entered the United States.
9. However, we discovered on October 12, 2025 that Diego had been transferred to a detention center in Mississippi.

10. Neither Sal nor I were able to speak with Diego while he was at Broadview.

Executed on 15th of October 2025, in Chicago, Illinois

Karina Ayala-Bermejo

Karina Ayala-Bermejo (Oct 16, 2025 11:15:40 CDT)
Karina Ayala-Bermejo, Attorney

CEO and President

Instituto del Progreso Latino

10.15.25 Declaration Karina Ayala-Bermejo

Final Audit Report

2025-10-16

Created:	2025-10-15
By:	Jamia Russell (jamia.russell@macarthurjustice.org)
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"10.15.25 Declaration Karina Ayala-Bermejo" History

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-  Document emailed to k.ayala-bermejo@idpl.org for signature
2025-10-15 - 6:14:21 PM GMT
-  Email viewed by k.ayala-bermejo@idpl.org
2025-10-16 - 4:15:16 PM GMT
-  Signer k.ayala-bermejo@idpl.org entered name at signing as Karina Ayala-Bermejo
2025-10-16 - 4:15:38 PM GMT
-  Document e-signed by Karina Ayala-Bermejo (k.ayala-bermejo@idpl.org)
Signature Date: 2025-10-16 - 4:15:40 PM GMT - Time Source: server
-  Agreement completed.
2025-10-16 - 4:15:40 PM GMT

EXHIBIT 26

DECLARATION OF CONSTANCE H. LARA

I, Constance H. Lara, make the following declaration based on my personal knowledge:

1. My name is Constance Lara. I am an immigration attorney based in Chicago, Illinois. My practice consists of removal defense, family petitions, naturalizations, etc.
2. One of my clients was arrested by ICE at approximately 9:00 a.m. on Saturday, October 11, 2025, in the Menards parking lot. They did not have a warrant or probable cause; they arrested him because he is Latino. Agents detained my client and took him to Broadview where they processed him by issuing a Notice To Appear and a warrant for Arrest of Alien on October 12, 2025, more than 28 hours after his arrest.
3. His wife called me because he was missing and she did not know where he was. I started trying to locate my client at 12:00 p.m. on Saturday, October 11.
4. I searched on the ICE Online Detainee Locator System but he did not appear.
5. I called the phone numbers for the Chicago ICE Field Office and Broadview, but no one answered my calls.
6. I then drove to Broadview to try to find my client. I got off at 25th Street going southbound and there was an Illinois State Police officer blocking the road with his squad car. The ISP officer said he could not let me go past that point. I explained that I needed to verify the location of my client, who I believed may be at Broadview.
7. The ISP officer said I could not pass because it was after 6:00 p.m. I explained that I am an attorney, and I needed to verify whether ICE had my client. He said that I could not pass unless I had the name of somebody with ICE who was expecting me at Broadview. If I had a name, he would call ICE to confirm whether I could come to the facility. No one at ICE answered my calls so I could not provide him a name. I was not allowed to go near the Broadview facility.

8. My client still did not appear on the locator at midnight or the next morning.
9. On October 12, after missing for over 30 hours, my client was able to briefly call his wife and tell her where he was located. She told me where he was because he could not call me.
10. My client did not appear on the detainee locator until Monday, October, 13, the same day he was transferred out of Broadview. However, ICE had an incorrect last name for him.
11. I could not contact my client the entire time he was at Broadview, and he was never permitted to contact me.
12. Approximately one month ago, I had another client at Broadview. Similarly, I had no idea where he was. I searched on the online locator but he did not appear. I sent emails to ICE at chi-ero-detained@ice.dhs.gov, and detentionbroadview-ins@dhs.gov but they did not respond.
13. As soon as I found out my client's A-number, I filed a G-28 and was given an 800 number to call to locate my client. The number went to a call center in Washington, D.C. The employee who answered confirmed my client was in ICE custody but refused to tell me where he was located. She said she was “not authorized” to give me any additional information as to the whereabouts of my client. I later learned he was at Broadview.
14. I have been practicing immigration law for 40 years and have never experienced anything like what is going on at Broadview. There is absolutely no reason to allow detained aliens the ability to speak to counsel and to have information about their whereabouts provided to the family.

I declare under penalty of perjury under the laws of the United States of America and pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 20th, 2025, in Chicago, Illinois.

Constance H. Lara

Constance H. Lara, Esq.

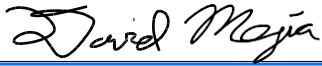
EXHIBIT 27

DECLARATION OF DAVID A. MEJIA

I, David A. Mejia, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an attorney barred in the state of Illinois.
2. On October 9, 2025, my client Miguel Angel Serrano Diaz was taken by the U.S. Immigration and Customs Enforcement (ICE) agency to the facility known as the Broadview Detention Center located at 1930 Beach St., Broadview, IL 60155. Mr. Diaz was residing in Oak Lawn, Illinois at the time of his arrest.
3. On October 10, 2025 at, or around 12:00 noon (CST) I was denied access to the facility to inquire about the nature of the charges being alleged by the Federal Government against Mr. Diaz, and to file a G28 form to formally request that Mr. Diaz be presented in a court in the State of Illinois where his family consulted counsel, and where Mr. Diaz resided before his detention to determine the probable cause and other facts/circumstances related to his arrest and detention.
4. Immediately after being denied access to the Broadview Detention Center to speak with Mr. Diaz and from speaking with representatives from the U.S. Immigration and Customs Enforcement agency, I searched for Mr. Diaz with the information provided to my office by Mr. Diaz's family in the "Online Detainee Locator System".
5. Mr. Diaz's family provided my office with an event and A-Number for Mr. Diaz
6. On October 10, 2025 at around 12:30 pm, I received a notice that the "Online Detainee Locator System" was not being maintained due to the lack of Federal Government funding. Because I was denied access to the Broadview Detention Center to speak with Mr. Diaz and/or representatives from the U.S. Customs and Enforcement agency, and because I was unable to locate Mr. Diaz with the "Online Detainee Locator System," Mr. Diaz was denied the fundamental right to speak to an attorney.
7. I was informed by an Illinois State Police (ISP) Lieutenant, that the Illinois State Police was prohibited from providing the information I requested by direction of the Federal Government and the ICE liaison agent operating the Broadview Detention Center. I was additionally advised by the ISP Lieutenant, that an email was generated and sent to the ICE liaison agent documenting my request and presence at the Broadview Detention Center at, or around 12:15 pm (CST) on October 10, 2025.
8. It is my position that the inability to speak to Mr. Diaz and demand the facts surrounding his arrest and challenge the probable cause of his detention have irreparably harmed his constitutional rights, by preventing me, a licensed attorney in the State of Illinois, from demanding proceedings for Mr. Diaz take place at the Chicago Field Office located at 101 W. Ida B. Wells Drive, Suite 4000, Chicago, IL 60605.
9. Mr. Diaz is now in ICE custody at the Adams County Correctional Facility in Missouri.

Executed on October 18, 2025

A handwritten signature in black ink that reads "David Mejia". The signature is written in a cursive style with a large, stylized 'D' and 'M'.

[David Alejandro Mejia \(Oct 17, 2025 17:51:46 CDT\)](#)

David A. Mejia, Attorney

2025.10.17 Declaration of D. Mejia

Final Audit Report

2025-10-17

Created:	2025-10-17
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"2025.10.17 Declaration of D. Mejia" History

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2025-10-17 - 10:47:40 PM GMT
-  Email viewed by lawyer_dave@icloud.com
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-  Signer lawyer_dave@icloud.com entered name at signing as David Alejandro Mejia
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-  Document e-signed by David Alejandro Mejia (lawyer_dave@icloud.com)
Signature Date: 2025-10-17 - 10:51:46 PM GMT - Time Source: server
-  Agreement completed.
2025-10-17 - 10:51:46 PM GMT

EXHIBIT 28

DECLARATION OF BRAD THOMSON

I, Brad Thomson, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an attorney at the People's Law Office in Chicago, Illinois.
2. On Friday, September 26, 2025, I went to the Broadview ICE detention facility to contact two clients who had been detained inside the facility. My clients were United States citizens who had been arrested by federal agents while protesting outside of Broadview.
3. I went to the Beach side entrance of the Broadview facility and announced loudly through the gate that I was an attorney and I wanted to visit my clients. I stated that my clients had a constitutional right to counsel.
4. I wanted to speak to my clients in order to advise them of their constitutional rights. One of my clients also needed medication, which his loved ones had given to me to provide to him while he was in custody.
5. After I made my request, a federal agent who was affiliated with either ICE or CBP came over to me and told me to stand to the side. The agent said he would contact "management" about my request to access my clients. I could not tell with which agency the officer was affiliated because he did not wear any identifying uniform.
6. Another federal agent, who also did not wear any identifying uniform, then came out of the building. That agent told me that one of my clients had been released. I asked where they had released him. The federal agent repeated only that he had been released and that is all he would say. I told the agent that my client's family and loved ones were waiting outside the facility and would have seen him if he had been released from the facility. Moreover, my client had his cell phone with him and would have called his loved ones if he was transported and released from another location.
7. The agent responded that there had been many arrests that day, and that he would check again for my client. He went inside the facility. When he returned, the agent confirmed that my client was in fact being detained inside. But the agent told me I could not see him "for safety reasons."
8. After I asked the federal agent again to provide me access to my client, I eventually was able to speak to my client on the phone, as he made a call from his personal cell phone from inside the Broadview detention center. My client informed me that he was making

the call from an attorney-visit room inside the facility. However, no attorneys were being allowed inside those visit rooms.

9. I asked the federal agent about my other client who had been arrested that day. The agent said he would look into it and get back to me but he never followed up.
10. Later that day, both clients were taken out of the facility, put in an unmarked vehicle, and driven away from Broadview. Federal agents never told me where they were taking either of my clients. One client informed me that he was dropped off at a gas station a half mile away from the facility. Another client was transported to the Berwyn Police Station. I was able to visit him there and he was eventually released from that station.
11. I was never able to get inside the Broadview ICE facility to counsel my clients who had been arrested and were facing potential criminal charges. No other attorneys were permitted inside the facility while I was at Broadview.

Executed on 16th of October 2025, in Chicago, Illinois



Brad Thomson (Oct 16, 2025 17:58:13 CDT)
People's Law Office

FINAL 10.15.25 Declaration of Brad Thomson

Final Audit Report

2025-10-16

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"FINAL 10.15.25 Declaration of Brad Thomson" History

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 Signer brad@peopleslawoffice.com entered name at signing as Brad Thomson
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 Document e-signed by Brad Thomson (brad@peopleslawoffice.com)
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 Agreement completed.
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EXHIBIT 29

DECLARATION OF JACQUELINE SPREADBURY

I, Jacqueline Spreadbury, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am volunteer attorney with the National Lawyers' Guild.
2. On Saturday, September 27, 2025, at about 6:10 p.m., I went to the Broadview ICE detention facility to counsel two clients, protesters who had been arrested and detained inside the facility. When I arrived, I saw many federal agents, including ICE agents. They were wearing riot gear but had no identifying uniforms and their badge numbers and names were not visible.
3. At 6:30 p.m., I walked up to the fence with my hands raised and with my attorney credentials out. I had my Cook County Sheriff's attorney card, my Illinois bar card, and my driver's license. I was wearing a suit. I yelled that I was an attorney. I told the federal agents that my clients had a constitutional right to an attorney. When I shouted this, the federal agents just shook their heads "no".
4. I then asked if they were denying me access to my clients. At that point, an agent motioned me over to him. I said to him, again, I am an attorney and I am trying to see my clients. He responded, "you can't come in here, it's not going to happen." I asked if he could take my information and have my clients call me from inside the facility. I gave him the names of my clients, my cell phone number, and my credentials. He said he would try and then he went inside the facility. He never returned and I never spoke to him again.
5. I waited by the Beach Street fence for him to return. While I was there, and with no warning, federal agents began gassing everyone in the vicinity, including me and other attorneys nearby. The agents sprayed tear gas and shot pepper balls. I had brought a respirator and goggles with me and I put them on.
6. While the federal agents were still gassing people, another officer came up to me asked what I was doing there. I reiterated my request to see my clients. The officer told me I could not go in.
7. I was stuck by the Beach Street fence in what felt like a war zone. I had no way to get out. Finally, at 8:15 p.m., I was able to leave the area.
8. I walked to the Harvard Street entrance of Broadview, again with my hands up, credentials in hand. I shouted that I was an attorney and I wanted to see my clients. Agents turned bright lights on me and officers on the roof of the building pointed pepper ball guns in my direction.

9. At the Harvard Street entrance, I spoke to ICE Officer Thompson, who called himself “Chi 16.” I told him I had clients who I wanted to see. Officer Thompson asked me if they were “CITS or illegals”. I responded that they were U.S. citizens. Officer Thompson told me to leave the area as officers were about to conduct a “maneuver” and I should get far away from there. He said there was no way anyone was going to talk to me until after the maneuver was over. He told me to come back in an hour.
10. I left and went with another attorney to a nearby gas station. While we were there, ICE agents and other federal agents flash banded the protesters. The entire gas station was filled with tear gas.
11. After the attack, I returned to the Harvard Street entrance at about 9:30 p.m. I eventually spoke to an ICE officer who identified himself by a name that sounded like “Jonathan Bogey” (Badge #3773). He finally gave me some updates on my clients but he did not provide me access to them or let me speak to them.
12. Officer Bogey told me that one of my clients had been questioned by DHS while I was outside waiting to speak with the client.
13. I later spoke by phone to the DHS employee who questioned my client. He told me his name was “Matthew Garber.” He confirmed that he questioned my client at 6:45 p.m. My client was never informed that I was at Broadview to see him.
14. Eventually Officer Bogey told me that one of my clients had been taken to Loyola Hospital. I left Broadview to go find my client. I arrived at the hospital at about 2:00 a.m., but by the time I arrived, my client had already been moved to another detention facility.
15. I never saw or spoke to either of the two clients I initially went to see at Broadview that night. They were never able to call me. They were still in detention when I went home a little after 2:00 a.m.

Executed on 16th of October 2025, in Chicago, Illinois


Jacqueline Spreadbury (Oct 16, 2025 18:45:50 CDT)
Jacqueline Spreadbury, Volunteer Attorney
National Lawyers' Guild

10.16.25 Declaration of J. Spreadbury (FINAL)

Final Audit Report

2025-10-16

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"10.16.25 Declaration of J. Spreadbury (FINAL)" History

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2025-10-16 - 11:45:24 PM GMT
-  Signer jmspreadbury@gmail.com entered name at signing as Jacqueline Spreadbury
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-  Document e-signed by Jacqueline Spreadbury (jmspreadbury@gmail.com)
Signature Date: 2025-10-16 - 11:45:50 PM GMT - Time Source: server
-  Agreement completed.
2025-10-16 - 11:45:50 PM GMT



EXHIBIT 30

DANNY DAVIS
7TH DISTRICT, ILLINOIS



WASHINGTON OFFICE:

2159 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5006
(202) 225-5641 (FAX)



CHICAGO OFFICE:

2813-15 W 5TH AVENUE
CHICAGO, IL 60612
(773) 533-7520
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**Congress of the United States
House of Representatives**

COMMITTEE ON
WAYS AND MEANS

RANKING MEMBER:
WORKER AND FAMILY SUPPORT SUBCOMMITTEE

MEMBER:
HEALTH SUBCOMMITTEE

DECLARATION OF REPRESENTATIVE DANNY K. DAVIS

I, Representative Danny K. Davis, Representative of the 7th District of Illinois in the United States Congress, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. On June 18, 2025, I attempted to visit the Broadview Immigration and Customs Enforcement (ICE) Processing Facility in Illinois (1930 Beach St., Broadview, IL). I did so along with Representatives Delia C. Ramirez, Jesus "Chuy" Garcia, and Jonathan L. Jackson, pursuant to our congressional oversight authority under Section 527(a) of the Department of Homeland Security Appropriations Act, 2024 (Pub. L. 118-47). The purpose of the visit was to investigate credible reports that the facility was being used to unlawfully detain immigrants, contrary to law. These reports suggested that immigrants were being held without access to medication, legal counsel, or basic necessities.

2. However, we were denied access to the Broadview facility by federal law enforcement agents. Their refusal to let us enter the facility was in violation of Congressional authority allowing members to oversee and monitor DHS detention facilities.

3. After being refused access, Representatives Ramirez, Garcia, Jackson, and I sent a public letter to DHS Secretary Kristi Noem and Acting ICE Director Todd Lyons. The June 18 letter provided details about our denial of access and demanded that we be permitted to exercise our right of oversight over ICE facilities and detention centers, in order to ensure that the people being held there were being treated humanely, with dignity and respect, and in accordance with the law. We did not receive a response to our letter.

4. On September 16, 2025, Senator Durbin and Representative Ramirez communicated to ICE that an Illinois Delegation of Congressional Representatives (the "Delegation") intended to conduct oversight at Broadview on September 23, 2025. I am a member of that Delegation. In an effort to work collaboratively with ICE, Senator Durbin and Representative Ramirez gave notice of the visit seven days in advance. However, ICE responded that ICE's Enforcement & Removal Operations (ERO) Chicago Office would be unable to support a visit. Representative Ramirez, a member of the House Committee on Homeland Security, and Senator Durbin, Ranking Member of the Senate Judiciary Committee, reiterated the importance of the visit. But ICE refused to alter its position and permit a visit.

5. ICE did agree to a subsequent meeting with the Delegation in lieu of a visit to the facility. That meeting was supposed to take place on September 26, 2025. ICE then postponed that meeting to an unconfirmed date in October.

6. On September 26, 2025, I joined the Delegation in issuing a letter to Russell Hott, ICE Chicago Field Office Director, and requesting a meeting to discuss the implementation of "Operation Midway Blitz" and oversight of the Broadview Processing Facility. Delegation signatories to that letter included the following members of Congress: Tammy Duckworth, Dick Durbin, Delia Ramirez, Jonathan L. Jackson, Robin Kelly, Jesús Chuy Garcia, Mike Quigley, Sean Casten, Raja Krishnamoorthi, Jan Schakowsky, Bradley Scott Schneider, Bill Foster, Nikki Budzinski, Lauren Underwood, and Eric Sorenson.

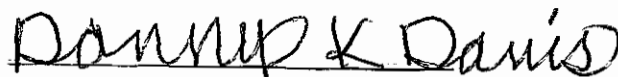
7. In the September 26 letter, the Delegation stated that a meeting to discuss conditions at Broadview was "imperative" as members of Congress had been barred from accessing the facility despite repeated attempts to schedule a visit, and because legal service providers and our constituents had raised serious concerns about the poor conditions at Broadview. Those conditions included unsanitary bathroom facilities, spreading illness, overcrowding, detainees sleeping on the floor or in chairs, lack of access to food and water, lack of access to hygiene products, restricted communications to family and attorneys, and an inability to access medication.

8. The Delegation was further concerned about its inability to gain access to Broadview because Operation Midway Blitz had been shrouded in secrecy, with little notice to state or local officials about the nature of the operations, the types of people targeted, where DHS was detaining people, and which agencies were detaining officers to conduct immigration enforcement. The Delegation noted that DHS had used military style tactics and equipment to conduct enforcement in local communities, with no transparency into the basis for the raids.

9. In its September 26 letter, the Delegation affirmed that it was critical for ICE and the congressional representatives to discuss the urgent issues concerning the treatment of people in Broadview. The letter included a list of questions about the facility's conditions and asked that ICE officials be prepared to answer them at the October meeting. Those questions are attached here as **Exhibit A**.

10. As of the date of this declaration, there has been no response to the Delegation's September 26 letter. ICE continues to bar the Delegation's—and my own—access to the Broadview facility, despite Congress' inherent authority to conduct oversight of ICE facilities and despite our grave concerns about the conditions in the facility and the treatment of the people being detained there.

Executed on 15th of October 2025, in Chicago, Illinois

A handwritten signature in black ink that reads "Danny K. Davis". The signature is written in a cursive, flowing style.

Representative Danny K. Davis

1. How many people have been processed at Broadview Processing Center since the start of “Operation Midway Blitz”?
2. What is the peak number of people who have been held overnight at Broadview since the start of “Operation Midway Blitz”?
3. As of September 20, 2025, what was the average length of stay for people detained at Broadview before release or transfer?
4. Since the start of “Operation Midway Blitz” how many individuals have been held at Broadview longer than 72 hours?
5. How many people were being held at Broadview on September 20, 2025? How many of those people were being held at Broadview on September 21, 2025?
6. Of the individuals detained at the facility on September 20, 2025, please indicate, if known, how many fell into each of the following categories: 1) pregnant women, 2) individuals who identify as LGBTQ, 3) individuals with serious medical and/or mental health issues, 4) elderly (over 60), 5) youth (under 21), and/or 6) indigenous language speakers?
 - a. What steps are being taken to ensure these individuals’ safety and well-being?
 - b. Please indicate the nationality of each individual.
7. Have embassies and consulates been notified if their foreign nationals are detained at Broadview?
8. What are the current protocols for attorney access at the Broadview facility? How does that differ from the protocols in place prior to “Operation Midway Blitz”?
9. How do detainees access phones to communicate with their attorneys? Can they receive inbound calls from their attorneys? Are there costs associated with accessing phones for legal calls?
10. How are complaints or grievances processed? How can individuals file a complaint or grievances against Broadview? How do you address complaints from individuals who do not speak English or Spanish?
11. Per the ICE Congressional Speaker Series – Detention Facilities and Medical Care briefing on July 22, 2025, Rear Admiral Jennifer Moon, ICE Health Service Corps (IHSC) Deputy Assistant Director for Health Care Compliance, explained that processing centers are non-medical facilities; therefore, they are not equipped with medical staff. Based on DHS standards, a comprehensive health intake is conducted during the first 12 hours after the person has been detained. During the screening, if any acute or chronic disease is identified, then the person in custody would be seen by a medical provider within 2-3 days.
 - a. How long on average do detainees at Broadview wait before receiving screening and subsequent medical attention?
 - b. Who provides medical screening services at the facility? Is there a contractor for health services? Please provide copies of agreements between the facility and any medical contractors.
 - c. What happens when an individual needs services from an outside medical specialist?
 - d. If you cannot provide medical care at Broadview when detainees have medical conditions such as diabetes, asthma, cancer, or are part of a vulnerable population like a breastfeeding mother,

what steps are taken to ensure that detainees get access to necessary medication and medical equipment (especially when phones are not working)?

- e. Since the start of “Operation Midway Blitz” have there been any outbreaks of illness at Broadview? What steps have been taken to address these outbreaks and reduce the chances that these will continue?
 - f. How are contagious illnesses limited or addressed prior to transferring individuals to other facilities?
 - g. What is the protocol for transferring an individual to a hospital from Broadview for acute trauma, ongoing treatment or injury? How are family members updated?
12. We understand that DHS has additional temporary holding locations throughout Illinois. Congressional offices have constituent cases for individuals held in DHS custody at a facility in Lombard or hotels near O’Hare Airport.
- a. What detention standards are applied to temporary or non-traditional ICE facilities such as these?
 - b. Given capacity constraints at Broadview, how is ICE using other facilities across Illinois to hold our constituents? Please provide the names and addresses of any other facilities where individuals are in ICE custody.
 - c. Does ICE plan to transfer detainees as part of their Chicago operations to the Miami Correctional Facility in Indiana? If so, what ICE detention standards will apply to individuals in ICE custody at the Miami Correctional Facility? What protocol will be followed in terms of attorney access and notification by ICE regarding such transfers?
 - d. Does ICE plan to transfer people arrested in Chicago to Camp Atterbury, a National Guard facility in Indiana? If so, what ICE detention standards will apply to Camp Atterbury? What protocol will be followed in terms of attorney access?
 - e. How many individuals have been detained at hotel rooms in Illinois by ICE contractors? Please provide the names and addresses of the hotels, as well as any Memorandums of Understanding (MOUs) or contracts pertaining to those hotels.
 - f. Where were detainees relocated upon leaving Broadview on September 22, 2025?
13. In recent weeks, at least two U.S. citizens in Illinois have reportedly been mistakenly arrested during ICE operations, including in Elgin (CBS, 2025; Chicago Sun Times, 2025). In addition, reports suggest ICE operations have ensnared individuals who possess valid work permits, undermining both fairness and workforce stability (Houston Chronicle, 2025; The Guardian, 2025).
- a. What new safeguards will DHS implement to prevent U.S. citizens from being wrongfully detained?
 - b. Since January 2025, how many individuals with valid work permits have been arrested by ICE in Illinois?
 - c. We are aware of at least two incidents in which ICE pulled over vehicles and arrested adult drivers and other adults, leaving minor children behind. What is ICE’s policy regarding minors who are passengers in vehicles involved in stops in which ICE arrests adults in the car?
14. ICE has responded to protests at Broadview with tear gas, pepper balls, and other tactics that have caused injuries to the protesters. ICE agents have reportedly told residents filming agents’ activities that they would face federal charges for doing so.

- a. What is the federal agent complement at Broadview and what agency employees or military personnel are currently stationed there under DHS authority?
 - b. What plans are ICE making to change tactics or adopt tactics that would de-escalate tensions and avoid potential injury to nonviolent protestors?
 - c. What training do ICE agents and agents at Broadview receive on de-escalation and First Amendment protected activities?
 - d. What is the legal basis for threats of federal charges against residents for filing law enforcement activities? If those threats lack a legal basis, will you direct your agents to stop the practice? Will you hold agents accountable if they continue to threaten and mislead people about their rights to record ICE activity?
15. The Online Detainee Locator System is generally the only means by which our constituents can locate their loved ones. Although ICE policy states that individuals will be recorded in the system after 48 hours, we have heard reports that those detained at Broadview for prolonged periods are not recorded in the system.
- a. Does ICE include individuals detained at the Broadview facility for more than 48 hours in their detainee locator system?
 - b. If so, how will ICE ensure the Detainee Locator System is up to date within 48 hours?
 - c. How can congressional offices and constituent services locate individuals not recorded in the Detainee Locator system?
16. In addition, constituents and attorneys have struggled to meet with detainees at the facility and obtain privacy waivers that would allow for congressional inquiries.
- a. What process must individuals undertake to gain access to a privacy waiver at Broadview? Will you consider making them available at the facility for detainees?
 - b. In what languages are waivers made available at Broadview?
 - c. If the phones at Broadview are not working, how are detained individuals able to communicate with family and Congressional offices to receive instructions on the waiver and how to properly sign and return it?
 - d. How will ICE facilitate waiver execution and transmission to Congressional offices from Broadview?

EXHIBIT 31

DECLARATION OF REPRESENTATIVE JESÚS “CHUY” GARCÍA

I, Jesús “Chuy” García, Representative of the 4th District of Illinois in the United States Congress, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I represent the 4th Congressional District of Illinois. After the 1990 Census demonstrated a dramatic growth of the Latino population in the area, drawing on Section 2 of the Voting Rights Act, the state legislature combined communities of interest residing across Chicago’s Northwest and Southwest sides and Cook County suburbs to create the Midwest’s first Latino majority voting rights district. After the 2020 Census, to reflect a growing Latino population, a new Latino influence district was created, while the boundaries of IL-04 shifted to include more of Chicago’s Southwest side and Cook County and expanded into DuPage County. The district continues to be home to predominantly Latino, immigrant, and working-class communities.

2. I serve on the House Committee on the Judiciary, and its Subcommittee on Immigration Integrity, Security, and Enforcement. The Subcommittee has jurisdiction over immigration and naturalization, border security and drug interdiction, admission of refugees, treaties, conventions and international agreements, claims against the United States, private immigration and claims bills, and non-border enforcement.

3. Since January 2025, my district has experienced a surge in federal law enforcement activity targeting immigrants. Immigration and Customs Enforcement (ICE) and other agencies have conducted raids and other immigration enforcement actions, often involving arrests. Because of the enactment of the Illinois Way Forward Act in 2021, there are no immigration detention facilities in Illinois. There are, however, ICE field office and processing facilities that are intended for short-term intake meetings, not detention.

4. On June 18, 2025, I attempted to visit the ICE Processing Facility in Illinois located at 1930 Beach St., Broadview, IL 60155 (Broadview Facility). I did so along with Representatives Delia Ramirez, Danny Davis, and Jonathan Jackson, pursuant to our congressional oversight authority under Section 527(a) of the Department of Homeland Security (DHS) Appropriations Act, 2024 (Pub. L. 118-47). The purpose of the visit was to investigate credible reports that the facility was being used to unlawfully detain immigrants. These reports suggested that immigrants were being held without access to medication, legal counsel, and other basic necessities such as food, bedding, and showers.

5. Despite presenting identification verifying our identity as Members of Congress and requesting to enter for approximately two hours, we were denied access to the Broadview Facility by federal law enforcement agents. Their refusal to let us enter the facility was in violation of statutory authority allowing Members of Congress to access without notice any DHS facility “used to detain or otherwise house” immigrants.

6. After being refused access, I sent a public letter with Representatives Ramirez, Davis, and Jackson to DHS Secretary Kristi Noem and Acting ICE Director Todd Lyons. The June 18 letter provided details about our denial of access and demanded that we be permitted to exercise our right of oversight over ICE facilities and detention centers, in order to ensure that the people

being held there were being treated humanely, with dignity and respect, and in accordance with the law. We did not receive a response to our letter.

7. On June 18, 2025, after we attempted to visit the Broadview Facility, ICE issued guidance requiring Members of Congress to provide 72 hours' notice prior to visiting a field office facility. That guidance has since been removed from the ICE website, which currently states that "the Department requires requests be made a minimum of seven (7) calendar days in advance to schedule visits to DHS facilities. Any requests to shorten that time must be approved by the DHS Secretary." Neither policy complies with the unambiguous statutory language of Section 527(b) of the DHS Appropriations Act, 2024 (Pub. L. 118-47), which states that "[n]othing in this section may be construed to require a Member of Congress to provide prior notice of the intent to enter a facility described in [Section 527(a)] for the purpose of conducting oversight."

8. On September 12, 2025, following continued reports of poor conditions at the Broadview Facility and DHS and ICE's continuing failure to respond to our June 18 letter, I sent a follow-up public letter with Representatives Ramirez, Davis, and Jackson to Secretary Noem and Acting Director Lyons. The September 12 letter reiterated the unlawfulness of denying us entry to the Broadview Facility to conduct oversight, and included a list of questions about the facility's conditions. Those questions are attached here as **Exhibit A**.

9. On September 16, 2025, Senator Dick Durbin and Representative Ramirez communicated to ICE that an Illinois Delegation of Congressional Representatives (the Delegation) intended to conduct oversight at the Broadview Facility on September 23, 2025. I am a member of that Delegation. In an effort to work collaboratively with ICE and even though it was not required by law, Senator Durbin and Representative Ramirez gave notice of the visit seven days in advance. However, ICE responded that ICE's Enforcement & Removal Operations (ERO) Chicago Office would be unable to support a visit. Representative Ramirez, a member of the House Committee on Homeland Security, and Senator Durbin, Ranking Member of the Senate Judiciary Committee, reiterated the importance of the visit. But ICE refused to alter its position and permit a visit.

10. ICE did agree to a subsequent meeting with the Delegation in lieu of a visit to the facility. That meeting was scheduled for September 26, 2025. ICE then postponed that meeting to an unconfirmed date in October.

11. On September 26, 2025, I joined the Delegation in sending a letter to Russell Hott, ICE Chicago Field Office Director, and requesting a meeting to discuss the implementation of "Operation Midway Blitz" (a federal immigration enforcement operation led by ICE, targeting the Chicago area) and oversight of the Broadview Facility. Delegation signatories to that letter included the following members of Congress: Senators Tammy Duckworth and Dick Durbin, and Representatives Delia Ramirez, Jonathan Jackson, Robin Kelly, Danny Davis, Mike Quigley, Sean Casten, Raja Krishnamoorthi, Jan Schakowsky, Brad Schneider, Bill Foster, Nikki Budzinski, Lauren Underwood, and Eric Sorenson.

12. In the September 26 letter, the Delegation stated that a meeting to discuss conditions at Broadview was "imperative" as Members of Congress had been unlawfully barred from

accessing the facility despite repeated attempts to schedule a visit, and because legal service providers and our constituents had continued to raise serious concerns about the poor conditions at Broadview. Those conditions included unsanitary bathroom facilities, spreading illness, overcrowding, detainees sleeping on the floor or in chairs, lack of access to food and water, lack of access to hygiene products, restricted communications to family and attorneys, and an inability to access medication.

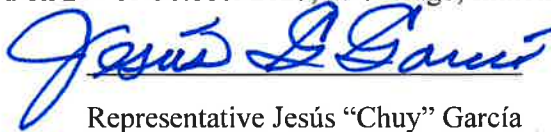
13. The Delegation was further concerned about its inability to gain access to the Broadview Facility because Operation Midway Blitz had been shrouded in secrecy, with little notice to state or local officials about the nature of the operations, the types of people targeted, where DHS was detaining people, and which agencies were detailing officers to conduct immigration enforcement. The Delegation noted that DHS had used military style tactics and equipment to conduct enforcement in local communities, with no transparency into the basis for the raids.

14. In its September 26 letter, the Delegation affirmed that it was critical for ICE and the congressional representatives to discuss the urgent issues concerning the treatment of people at the Broadview Facility. The letter included a list of questions about the facility's conditions and asked that ICE officials be prepared to answer them at the October meeting. Those questions are attached here as **Exhibit B**.

15. On October 16, 2025, I sent a letter with Representative Jamie Raskin, Ranking Member of the House Judiciary Committee, and other Committee Members to President Donald Trump, Secretary Noem, and Acting Director Lyons demanding the Administration cease its violent and lawless attacks on the Chicagoland region. The October 16 letter highlights the poor conditions at the Broadview Facility and states that the denial of access to the facility is "in clear violation of federal law."

16. As of the date of this declaration, there has been no response to the June 18, September 12, September 26, or October 16 letters. ICE continues to bar the Delegation's—and my own—access to the Broadview Facility, despite our statutory authority to conduct oversight of ICE facilities and despite our grave concerns about the conditions in the facility and the treatment of the people being detained there.

Executed on 21st of October 2025, in Chicago, Illinois



Representative Jesús "Chuy" García

EXHIBIT 32

DECLARATION OF SISTER JOANN PERSCH

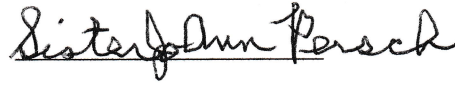
I, Sister JoAnn Persch, make the following declaration based on my personal knowledge:

1. My name is Sister JoAnn Persch. I am competent to make this declaration. I am a Catholic nun with Sisters of Mercy in Chicago, Illinois. I have been with the Sisters of Mercy for over 70 years. I have been advocating for immigrant rights and in particular, for asylum seekers, in Chicago and the Midwest for over forty years. I have also advocated for detained immigrants to have access to pastoral care for many years.
2. I am a founding member of Su Casa Catholic Worker house in Chicago, which ministers to and shelters survivors of war, torture and political persecution. Su Casa began in 1990 as a shelter for refugees of Central American genocide and civil war. It now serves Chicago families facing housing insecurity and families from Central America seeking asylum, many of whom are women and children escaping domestic violence.
3. In 2022, Sister Pat Murphy and I founded Catherine's Caring Cause (CCC), a non-profit committed to providing unwavering support, resources, and empowerment to asylum seekers. CCC is guided by the core principles of Mother Catherine McAuley's life and work, and her embodiment of the values of hospitality, mercy and love. At CCC, we provide wrap-around support to asylum-seeking families which includes housing, medical and legal assistance, education support, and everything in between.
4. On a cold day in January 2007, Sister Pat Murphy and I joined a prayer vigil outside of the Broadview ICE facility. We observed the horrors of family separation caused by deportation and were compelled to return and pray every Friday morning at 7:15 a.m. For the past 19 years, we have prayed in English and Spanish outside Broadview in solidarity with people being deported and their families. We believe that the power of prayer has an impact.
5. We saw families being torn apart as their loved ones were taken to the airport to be deported. We talked to devastated family members outside Broadview and realized how difficult it must be for the individuals detained inside Broadview. We believed that it was important for immigrants being deported to have access to pastoral care during this traumatic time, and so we began our advocacy to provide detained immigrants with pastoral care.
6. We do our work peacefully and respectfully, but we never take no for an answer.
7. In 2008 and 2009, I worked with faith leaders and advocates to successfully push for the passage of the Illinois Access to Religious Ministry Act, which required state and county detention facilities to provide religious workers access to detained immigrants to provide religious services. The law went into effect in 2009, and we created our first program to provide religious services to detained immigrants in McHenry County Jail.
8. The program was such a success, it became a model for programs in other facilities. Ricardo Wong himself, then-director of the ICE Chicago Field Office, contacted sheriffs in Kankakee County, Kenosha County, and Dodge County to implement our program at the jails where they housed immigration detainees.

9. Our services also continued at Broadview. In April 2009, through our advocacy and the relationships we built, we were granted permission to board the buses and vans going to the airport in order to pray with the immigrants about to be deported. We would board the buses, say who we are, and tell that that we are walking with them in spirit through this hard journey. We would also give them information about what to expect.
10. Then, along with other faith leaders, we were granted permission to go inside Broadview to pray with the people inside. For years, we went inside Broadview on Friday mornings at 4:00 a.m., when family visits occurred. Family members were permitted to go into the vestibule, bring their loved ones a bag, and say goodbye. However, not everyone had that familial support, so we provided that support for them.
11. Inside Broadview, typically, two religious workers would pray with the families, while the other two religious workers counseled and prayed with detained individuals in the attorney-visitation room. We spoke with people right before they were deported, as many of them sought pastoral care in those difficult times.
12. Over the years, we built relationships with the individuals who worked for ICE and DHS, both at Broadview and in Washinton, D.C. I used to be able to call them and have rational discussions over disagreements. Officers would call us when they were releasing individuals who needed housing or other support. However, all of that has stopped with this administration.
13. Faith leaders are not permitted to provide pastoral care to people detained inside Broadview. We are denied all access to the facility.
14. On Friday, October 10, 2025, I went to Broadview to participate in our weekly prayer vigil. For the first time in nineteen years, we were not allowed to hold our prayer service in front of the Broadview facility. We had to move our prayer to York Street, several blocks away and out of eyesight of the facility. Now, we cannot even provide religious services from outside the building, as we had done for nearly two decades.

I declare under penalty of perjury under the laws of the United States of America and pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 18, 2025, in Chicago, Illinois.

A handwritten signature in black ink that reads "Sister JoAnn Persch". The signature is written in a cursive style with a horizontal line underneath the name.

Sister JoAnn Persch

EXHIBIT 33

Declaration of Reverend Abby Holcombe

I, Reverend Abby Holcombe, make the following declaration based on my personal knowledge:

1. My name is Abby Holcombe. I am competent to make this declaration.
2. I am a pastor at Urban Village Church at River Forest in River Forest, IL. I have been a commissioned Provisional Elder since June of 2024.
3. I have been to the Broadview ICE detention facility three times since September 5, 2025 in order to provide pastoral care to people detained in the facility.
4. As a United Methodist, I believe that communion should be brought to those who are unable to physically come forward and receive it, including to anyone who is in physical detention, like the immigrants who are incarcerated at Broadview.
5. On October 10, 2025, I was again outside Broadview. On that day, faith leaders across denominations had gathered to preside over communion, facing the facility. During the gathering, we stepped over the “free speech” barrier at Harvard Avenue and 25th Street as clergy bearing communion. At that point, Illinois State Police troopers stopped us from processing.
6. I spoke to the troopers. I told them we were clergy and that we wanted to bring communion to congregants who were inside the facility.
7. One of the troopers said that he would make a phone call. I then saw him on the phone.
8. After 5 to 7 minutes, the trooper returned and began talking to me, as well as to other faith leaders. The trooper told me that federal Agent Hernandez had told him that “no one is allowed to approach the gate” so we were not allowed in, even as clergy. The exchange was caught on video.

9. I have never been allowed to enter the facility or to provide pastoral care to the immigrant community being held in Broadview.

10. This government action substantially burdened my sincere religious exercise, causing both personal and spiritual distress and the deprivation of sacramental care for those inside.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on 20th of October 2025, in Chicago, Illinois

Signed by:



998C97E93B4847A...

Reverend Abby Holcombe

EXHIBIT 34

DECLARATION OF SHELBY VCELKA

I, SHELBY VCELKA, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct.

1. I am an immigration lawyer based in Chicago, Illinois, at the Victory Law Office. I have more than six years of experience representing noncitizens in immigration applications and proceedings. I have represented clients detained at Broadview Processing Center (“Broadview”), 1930 Beach Street, Broadview, Illinois, by U.S. Immigration and Customs Enforcement (ICE) and the Department of Homeland Security.

2. Since September 14, 2025, I have had multiple clients detained at Broadview for multiple days. Broadview has no method for lawyers to contact or communicate confidentially with their detained clients and does not offer legal visits.

3. On or about September 14, 2025, ICE detained two of my clients, Moises Encisco Trejo and Constantina Ramírez Meraz. My clients are married, originally from Mexico, and they have resided in Cicero for approximately 18 years. After the arrest, both of my clients were taken to the Broadview Processing Center.

4. On September 14 and for several hours on September 15, 2025, I tried to file my appearance form (known as a G-28) with the ICE web portal for their Enforcement and Removal Operations (ERO), but it did not work. It was not until the afternoon on September 15, 2025 that I was able to file my appearance.

5. On Monday, September 15, 2025, I filed my appearance forms (known as a G-28) with the ICE web portal for their Enforcement and Removal Operations (ERO).

6. In the past, when I had clients detained, I could email the local ERO email address and receive a response about my clients and information about scheduling legal calls.

7. On or about Tuesday, September 16, 2025, I emailed the ERO email address for Broadview Processing Center (chi-ero-detained@ice.dhs.gov) requesting information for my clients and legal calls. I also sent an email to the national ERO email address to request information about my clients and legal calls. No one from ICE responded.

8. Mr. Enciso was detained at the Broadview Processing Center for about three and a half days, from Sunday, September 14, 2025, to on or about Wednesday, September 17, 2025. Ms. Ramirez was also detained at the Broadview Processing Center for about three and a half days, from Sunday, September 14, 2025, to on or about Wednesday, September 17, 2025.

9. During the time that Mr. Enciso and Ms. Ramirez were detained at the Broadview Processing Center, I called the ICE Chicago-ERO field office at (872) 351-3990 at least fifteen times to schedule legal calls with my clients. No one at ICE Chicago-ERO returned my calls. I also called the telephone number listed for the Broadview facility (708) 343-7841, but I received an automated message that the number was no longer in service.

10. During the days that Mr. Enciso and Ms. Ramirez were detained at Broadview, I was not permitted to schedule or have any confidential legal calls or visits with my clients. My clients were allowed to make short calls with their adult children, and at times, I participated in these calls. These calls were not confidential and were very loud. There was a lot of background noise from Broadview, and it was hard to hear my clients.

11. Ms. Ramirez takes medication and follows a special diet because she is pre-diabetic. On information and belief, during the four days of her detention at the Broadview Processing Center, she did not have access to medication or a special diet and was limited to a bottle of water with meals. ICE provided a small sandwich for each meal.

12. ICE separated my clients and transferred Ms. Ramirez to an ICE detention facility in Leitchfield, Kentucky, and her husband, Mr. Enciso, to an ICE detention facility in Northfield, Michigan.

13. On or about September 15, ICE agents stopped my client, Mario Hernandez García, as he was driving his car in Chicago. The agents smashed his car window and dragged him out of the car. Mr. Hernandez has a pending U nonimmigrant status (“U visa”) application because he is a crime victim and cooperated with the investigation or prosecution of that crime. He currently has a work permit.

14. Mr. Hernandez was detained at Broadview for about four days from September 15 until September 19, 2025.

15. Immediately following his arrest by ICE on September 15, Mr. Hernandez experienced a medical event where he felt like he was unable to breathe, felt weak, and felt like he was drowning. He was sweating and his heart was beating very fast. He was transported by ambulance to Mt. Sinai Hospital. After receiving various tests at the hospital, he was eventually told that he had suffered from a panic attack.

16. While still in the hospital, one of the immigration officers went up to him and said to him in Spanish in an aggressive manner, “If you do something stupid, things will go worse for you and you aren’t going to get out of here.” He was then handcuffed to the hospital bed.

17. The respondent was later taken to Broadview. At no point upon leaving the hospital or being released from Broadview was he given any discharge paperwork from his time at the hospital.

18. On September 15 and 16, I tried to file my appearance form (known as a G-28) with the ICE web portal for their Enforcement and Removal Operations (ERO), but it did not work. It was not until September 17, 2025 that I was able to file my appearance.

19. During the time of Mr. Hernandez’s detention at Broadview, I could not contact my client to arrange for a legal call or schedule a legal visit.

20. On September 19, ICE released Mr. Hernandez from detention at Broadview, without providing any medical documentation to him related to his hospital visit.

21. On October 20, 2025, my client Maria Del Carmen Garcia Rodriguez went to a pre-arranged ICE check-in in Milwaukee, Wisconsin. She was taken into custody at this check-in and transferred from Milwaukee to Broadview.

22. While at the ICE check-in in Milwaukee, my office was contacted two times by the ICE officers. I or a member of my staff provided them with my email address both times. Although I was told that I would be receiving an email from them, I have not received one.

23. Ms. Garcia Rodriguez is currently nursing a 4-month-old U.S. citizen baby, and her family contacted me to tell me that she has been unable to express milk and requires a pump.

24. I emailed ERO at the email address noted above and also at Chicago.Outreach@ice.dhs.gov to let them know that my client was nursing and needed a breast pump. I never received a response.

25. Hearing nothing from ERO, I drove to Broadview unannounced this morning, October 21, 2025, to bring Ms. Garcia Rodriguez a pump that I had purchased for her at Target. Eventually, I was able to give the pump to an ERO officer. I also gave him my phone number and email address, but I have not heard back from him. As of now, I don't know whether my client was given the pump.

I declare under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 22, 2025, in Chicago, Illinois.

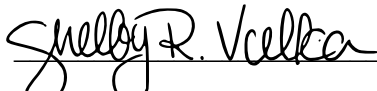

Shelby Vcelka

EXHIBIT 35

DECLARATION OF REPRESENTATIVE DELIA C. RAMIREZ

I, Representative Delia C. Ramirez, Representative of the 3rd District of Illinois in the United States Congress, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. On June 18, 2025, I attempted to visit the Broadview Immigration and Customs Enforcement (ICE) Processing Facility in Illinois (1930 Beach St., Broadview, IL). I did so along with Representatives Danny K. Davis, Jesus “Chuy” Garcia, and Jonathan L. Jackson, pursuant to our congressional oversight authority under Section 527(a) of the Department of Homeland Security Appropriations Act, 2024 (Pub. L. 118-47). The purpose of the visit was to investigate credible reports that the facility was being used to unlawfully detain immigrants, contrary to law. These reports suggested that immigrants were being held without access to medication, legal counsel, or basic necessities.

2. However, we were denied access to the Broadview facility by federal law enforcement agents. Their refusal to let us enter the facility was in violation of Congressional authority allowing members to oversee and monitor DHS detention facilities.

3. After being refused access, Representatives Davis, Garcia, Jackson, and I sent a public letter to DHS Secretary Kristi Noem and Acting ICE Director Todd Lyons. The June 18 letter provided details about our denial of access and demanded that we be permitted to exercise our right of oversight over ICE facilities and detention centers, in order to ensure that the people being held there were being treated humanely, with dignity and respect, and in accordance with the law. We did not receive a response to our letter.

4. On September 16, 2025, Senator Richard J. Durbin and I communicated to ICE that an Illinois Delegation of Congressional Representatives (the “Delegation”) intended to conduct oversight at Broadview on September 23, 2025. In an effort to work collaboratively with ICE, we gave notice of the visit seven days in advance. However, ICE responded that ICE’s Enforcement & Removal Operations (ERO) Chicago Office would be unable to support a visit. As a member of the House Committee on Homeland Security, I reiterated the importance of the visit. But ICE refused to alter its position and permit a visit.

5. ICE did agree to a subsequent meeting with the Delegation in lieu of a visit to the facility. That meeting was supposed to take place on September 26, 2025. However, ICE then postponed that meeting to an unconfirmed date in October.

6. On September 26, 2025, Senator Durbin and I issued a letter to Russell Hott, ICE Chicago Field Office Director, requesting a meeting to discuss the implementation of “Operation Midway Blitz” and oversight of the Broadview Processing Facility. Members of the Delegation joined that letter, including the following members of Congress: Tammy Duckworth, Jonathan L. Jackson, Robin Kelly, Jesus “Chuy” Garcia, Mike Quigley, Sean Casten, Raja Krishnamoorthi, Jan Schakowsky, Bradley Scott Schneider, Bill Foster, Nikki Budzinski, Lauren Underwood, and Eric Sorenson.

7. In the September 26 letter, the Delegation stated that a meeting to discuss conditions at Broadview was “imperative” as members of Congress had been barred from accessing the facility despite repeated attempts to schedule a visit, and because legal service providers and our constituents had raised serious concerns about the poor conditions at Broadview. Those conditions included unsanitary bathroom facilities, spreading illness, overcrowding, detainees sleeping on the floor or in chairs, lack of access to food and water, lack of access to hygiene products, restricted communications to family and attorneys, and an inability to access medication.

8. The Delegation was further concerned about its inability to gain access to Broadview because Operation Midway Blitz had been shrouded in secrecy, with little notice to state or local officials about the nature of the operations, the types of people targeted where DHS was detaining people, and which agencies were detaining officers to conduct immigration enforcement. The Delegation noted that DHS had used military style tactics and equipment to conduct enforcement in local communities, with no transparency into the basis for the raids.

9. In its September 26 letter, the Delegation affirmed that it was critical for ICE and the congressional representatives to discuss the urgent issues concerning the treatment of people in Broadview. The letter included a list of questions about the facility’s conditions and asked that ICE officials be prepared to answer them at the October meeting. Those questions are attached here as **Exhibit A**.

10. As of the date of this declaration, there has been no response to the Delegation’s September 26 letter. ICE continues to bar the Delegation—and my own—access to the Broadview facility despite Congress’ inherent authority to conduct oversight of ICE facilities and despite our grave concerns about the conditions in the facility and the treatment of the people being detained there.

Executed on 22 of October 2025 in Chicago Illinois



Representative Delia C. Ramirez

EXHIBIT 36

DECLARATION OF SANTOS REBOLLEDO ALTAMIRANO

I, Santos Rebolledo Altamirano, make the following declaration based on my personal knowledge:

1. My name is Santos Rebolledo Altamirano. I am competent to make this declaration.
2. I have been in the United States since 2001. I work in the roofing industry and have worked as a roofer for the same company for over 20 years. I am married and my wife was granted refugee status in 2013. In my time in the U.S. I was arrested once and charged with disorderly conduct.
3. I was arrested by ICE at approximately 9:00 a.m. on Saturday, October 11, 2025.
4. I was in the Menards parking lot located at 4501 W. North Ave. Chicago, Illinois 60639. Two masked ICE officers came up to me and asked if I had permission to be in the country. I did not answer.
5. They said, "you know you should not be in the country," and arrested me. They threw the bags I was carrying with my purchases from Menards to the ground, handcuffed me, and put me in a red minivan. There were two other people in handcuffs in the minivan. They took us to Broadview. The two other men that were in the minivan later told me that the agents saw me leaving Menards with my purchases and then stated, "there is our next victim," and then a Spanish speaking agent then said in English, "Let me take him, I need to earn my keep".
6. We got to Broadview around 10:00 a.m. The handcuffs were so tight that they were cutting my skin. I told the officers the handcuffs were hurting me, but they did not loosen them. They did not remove my handcuffs for 30 minutes.
7. I was wearing a jacket, but it was taken from me. The officers also took all of my possessions, including my shoelaces.
8. They placed me in a cell with approximately 60-70 other men. Females were held in a different cell, we could not see into the women's cell.
9. There was no furniture in the cell and nowhere to sleep; no chairs, no beds, nothing. There were so many men in the cell that we all had to stand. There was not even enough space to sit on the floor. The cell was very dirty. We were not able to sleep.

10. There was a toilet in the cell, but there was no curtain or wall to provide privacy to anyone using the toilet. With so many people, the toilet was extremely dirty. They did not provide any soap or personal hygiene items. Showers were not permitted.
11. The facility was freezing cold, but we were not given blankets. I asked an officer to return my jacket because I was only wearing an undershirt. The officer told me to “take it like a man” and “stop acting like a child.” He did not give me my jacket or anything else to keep warm.
12. They gave us food three times a day. The meal varied. The meal was typically just a piece of bread with cheese and a bottle of water. For one meal I got a flour tortilla with cheese and avocado. Another time, I was feed a piece of bread with salami. During one of the meals, they gave me a rotten apple.
13. I could not use the phone in the room. In order to use the phone, someone on the outside had to set up an account and add money to it, but my wife did not know where I was.
14. I repeatedly asked if I could make a phone call to call my wife. They kept saying, “you’ll have time for that later.”
15. I told the officers that I have a lawyer and I wanted to speak to my lawyer. The officers said: “you have no rights to a lawyer;” “you have no rights in here;” “you’re not gonna talk to anyone;” and “you don’t talk to anyone here.” I constantly requested to speak to my lawyer but I was insulted each time.
16. They told me they were going to decide what to do with me. They did not give me information about what was going on. They did not inform me of my rights, they did not tell me why I was arrested, and they did not tell me how long I would be there or where I was going next.
17. It took them approximately 32 hours to process me. Late in the day on Sunday, they finally pulled me out of the room, fingerprinted me, and took my basic information.

18. They input my name wrong. I told them my name, which is Santos Rebolledo-Altamirano, but they input my name as Santos Rebolledo-Apolinar.
19. The officer asked me to sign a document. The document was in English. I did not know what it was. I told him that I do not know how to read and asked them to read the document to me. The officer told me to "forget about it." He did not translate or read the document to me. I did not sign the document.
20. I was not given a Notice to Appear. The officer did not tell me any information about my arrest, my detention, my rights, or what was going to happen to me.
21. I was finally allowed to call my wife Sunday evening. I told her was at Broadview and to contact my attorney because I was not allowed to call my attorney. My attorney was never able to contact me at Broadview.
22. The agents were cruel. They swore at me and the other detainees and constantly told us that we are not allowed to be in the country. Whenever we asked for anything, they would just respond that we are not supposed to be here.
23. There was an older man detained with me who was not feeling well. We tried to get the officers' attention, but they just swore at us. The man started foaming at the mouth. Finally, they took him out of the cell. I do not know what happened to him.
24. I was detained at Broadview from Saturday, October 11, at approximately 10:00 a.m., until Monday, October 13, at approximately 5:00 p.m.
25. On October 13, at approximately 5:00 p.m., I was put on a bus with approximately 25 other men and taken to the North Lake Correctional facility in Baldwin, Michigan.
26. My Attorney tells me that the documents submitted to court indicate that I was given copies, I was never given any documents.

This declaration was read to me in Spanish, a language that I know and understand. I declare under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 21, 2025, at the North Lake Correctional facility in Baldwin, Michigan.

Esta declaración me fue leída en español, un idioma que conozco y comprendo. Declaro bajo pena de perjurio, conforme a las leyes de los Estados Unidos, en 28 U.S.C. § 1746, que lo anterior es verdadero y correcto.

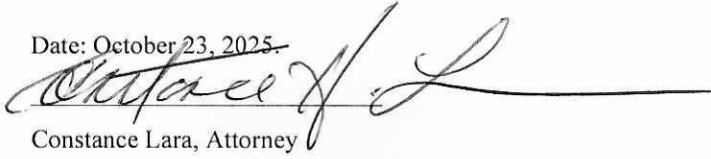
Ejecutado el 21 de October, 2025, al North Lake Correctional facility en Baldwin, Michigan.

Santos Rebolledo
Santos Rebolledo Altamirano

CERTIFICATE OF TRANSLATION

I, Constance Lara, certify that I am fluent in both the English and Spanish languages and that I am competent to translate between them. I have read the attached declaration to Santos Rebolledo Altamirano in Spanish, and he confirmed that he understood and agreed to its contents before signing.

Date: October 23, 2025.

A handwritten signature in black ink, appearing to read "Constance Lara", followed by a long horizontal line extending to the right.

Constance Lara, Attorney

EXHIBIT 37

DECLARATION OF JENNIFER PEYTON

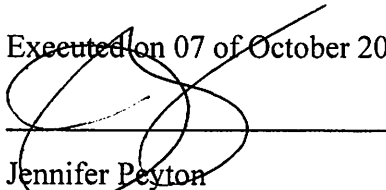
I, JENNIFER PEYTON, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. My name is Jennifer Peyton. I am an immigration attorney and partner at Kriezelman Burton & Associates, LLC, based in Chicago, Illinois. At present, I exclusively practice immigration and nationality law. I was in private practice of immigration law from 2002 until 2016, when I joined the Department of Justice as an Immigration Judge based in the Chicago Immigration Court. I was then promoted and reassigned as Assistant Chief Immigration Judge of the Chicago Court in January 2022, until I was terminated without cause on July 3, 2025.
2. I have represented multiple clients who have been detained at the ICE Broadview Facility ("Broadview") at 1930 Beach St. in Broadview, Illinois.
3. Broadview is a black hole. When my clients are there, I am unable to speak to them or contact them.
4. On September 23, 2025, I accompanied one of my firm's clients, Client K, to his USCIS interview. After the interview, two ICE officers entered the interview room and took him into custody on the basis of a prior exclusion order. I asked the officers where they were taking him and the ICE officer said they were taking him to Broadview. I told the officer that I needed to be able to get a hold of Client K while he was at Broadview. I asked the officer if I could call him while he was at Broadview, and the officer responded: "No. He can call you." I asked if I could have a legal visit and the officer said: "No." I told the officer that sometimes I need to get in contact with my client, and the client would not know this, I asked again how I am supposed to contact my client if I need to speak to him and the officer said: "He will be able to call you."
5. Client K was unable to contact our law office during the time he was held at Broadview. He was at Broadview for at least two days. The ICE Detainee Locator is the website where non-citizens locations may be found. When I checked the ICE Detainee Locator for this client, it did not provide his location, and rather said, to call the local field office. It is well known that the Chicago ERO Field Office at 872-351-3990 is not monitored, and no one answers, nor is there any mechanism to leave messages.
6. A second client, Client J, was detained at Broadview for three days in September 2025 until being transferred to Clay County Detention Center. I was unable to contact him the entire time he was held at Broadview, and he was unable to contact me. Again, the information on the ICE Detainee Locator just said to "call the local field office". When I called the Chicago ERO Field Office, no one answered. His wife advised me that he was transferred to Clay.

7. A third client, Client H, was detained at Broadview for five days in mid-September. He slept on the floor and described detainees sleeping in bathrooms near the toilet. He was not given a change of clothes and wore the same clothing for the duration of his time in ICE custody.
8. Client H is a parent of three United States children, and had no criminal record. He had been in the United States for twenty years, was married in 2024, and purchased a house in July 2025. His wife had filed for asylum and included him on the pending asylum application. He also was eligible for relief known as EOIR 42B Non Lawful Permanent Resident Cancellation of Removal, which must be presented to the Immigration Court. I signed a retainer to prepare for the removal hearing process but I was not able to speak to him at all while he was at Broadview. He was then transferred to Indianapolis for just five hours and then sent to a detention facility in Texas for several hours before being deported to Honduras. He did not sign any documents, especially any stipulating to deportation. Due to how quickly ICE moved my client between facilities after he left Broadview, and their failure to update his location, I was unable to speak to my client before he was deported. I have filed a habeas on this matter challenging his removal with a removal order.
9. In late September, I brought a fourth client, Client L, his wife and their nine year old child to their asylum interview at USCIS. Client L did not have a Notice to Appear, as he was appearing affirmatively before the asylum office. He did not have a criminal record. ICE arrested him *before* his scheduled interview, and he was unable to attend his immigration interview because he was in ICE custody.
10. During this client's arrest encounter, the ICE officer showed me a warrant for administrative arrest. I told the officer I had a G-28 on file and asked why they did not contact me to coordinate my client's arrest or placement into detention. I asked for the officer's name and who authorized this arrest. The officer told me that his supervisor, Officer Pool, authorized the arrest. He told me that Client L would be taken to Broadview and then to another detention facility. I asked how to learn where he would be sent, and he told me to call the ICE field office. I told him that no one answers that phone, and there is no way to leave messages. He then told me to email the outreach email at "Chicago.Outreach" <Chicago.Outreach@ice.dhs.gov>.
11. The ICE officer told me my client would be at Broadview for one day. I asked where ICE was going to house him, as they do not have beds at Broadview. He did not answer me. It is my understanding that Client L was held at Broadview for three days before he was transferred.
12. Client L is presently in Eden Processing Center in Eden Texas and has a bond hearing scheduled for October 8, 2025. I was able to speak with him on October 7, 2025. His asylum interview was September 25, 2025. I was unable to speak with my client between September 25, 2025 and October 7, 2025.

13. During the morning of Friday, October 3, 2025, another client, Client R, was picked up in a public space. He was taken to Broadview. We filed a habeas petition on Friday, October 3, 2025, in the afternoon. We advised the US Attorneys Office that the habeas had been filed. The AUSA requested we provide them with Client R's file number (also known as the alien number). We emailed the Outreach email box per the directions noted in paragraph 10.
14. On Friday afternoon, at 6:10p, District Court Judge Matthew Kennelly entered an order restraining and enjoining the respondents from removing Client R from this district pending further order of the Court.
15. Over the weekend, on October 4, I agreed with the AUSA that Client R could be held in Indiana or Wisconsin.
16. Over the weekend, on October 4, 2025 at 3:44A, I received a reply from the Outreach Email box stating: His Alien number is pending.
17. Over the weekend, on October 5, 2025, Client R's family provided me with his file number, and advised me that Client R was being transferred to Detroit, Michigan.
18. On Sunday October 5, 2025, I provided Client R's file number to the AUSA, and Client R was transferred to Clay County, Indiana, per our agreement. The Notice to Appear reflects that it was prepared on October 4, 2025, and served on the respondent on October 5, 2025.

Executed on 07 of October 2025, in Chicago, Illinois

A handwritten signature in black ink, appearing to read "Jennifer Peyton", is written over a horizontal line.

Jennifer Peyton
Partner, Kriezelman Burton & Associates, LLC
Supreme Court of Ohio Bar # 0069675

EXHIBIT 38

DECLARATION OF JACK DOE

I, Jack Doe, make the following declaration based on my personal knowledge:

1. I am competent to make this declaration.
2. I am a father of five children. My youngest three children are U.S. citizens. One of my sons is in university here in Chicago, and my two little ones are still in elementary school. I have lived in the United States for over 20 years. I raised my children as a single father until I got married last year. I have my own painting and renovation company, I pay my taxes, and I just bought a house this year. I have never been arrested, and I do not have a criminal record.
3. I was detained at Broadview ICE facility from a Tuesday to Sunday in September 2025.
4. Detention at Broadview was torture.
5. There were too many people confined there. The ICE officers put detainees in four rooms. One room was for women, and three rooms were for men. I estimated that there were 150-200 people in the room with me. They moved me between rooms but all the rooms were extremely crowded. I think the majority of people were Mexicans. There was not enough space for everyone.
6. The room was hot during the day and extremely cold at night. They left the air conditioner on all night. It was difficult to sleep because the room was freezing cold. The floor was also very cold. Some people were given aluminum blankets. Some people had bigger blankets than other people. There were not enough blankets for everyone. When other people were transferred out of Broadview, I was able to get a blanket that was left behind.
7. There was not enough space for everyone to lie down. People were sleeping on top of each other and in the bathroom area next to the toilet.
8. I was unable to sleep for the first two nights. The next three nights, I was so exhausted that I fell asleep, but I had to sleep sitting up because there was not enough space to lie down. I only slept for an hour or two.
9. Lots of people around me were sick and coughing, which was stressful and made me anxious. People were complaining of headaches and body aches and getting sick from the extreme temperatures. They asked for medications but the officers did not give them anything. They told us that they do not have medication at Broadview. I've never experienced such terrible treatment.
10. ICE did not give us enough food or water. We received one small, child-size sandwich with some meat and cheese from Subway and a bottle of water at 12:00 p.m. and 7:00 or 8:00 p.m. Sometimes, we got a mini (8 ounce) bottle of water. Sometimes, we got a normal size (16.9 ounce) bottle.

11. The holding room had large glass windows so I could see the central area and the other rooms.
12. The guards were violent and abusive. People were hungry and started asking for more food and water. The officers hit people who asked for more food or water. There was one man in my room from Venezuela who kept asking for food and water. The officers took him out of the room into the central area and beat him.
13. I also saw the officers take four people out of the other room in handcuffs and shackles and hit them. It was extremely stressful. Everyone kept asking why they were hitting them.
14. There were seven officers—four watching the cells and three others walking around—who were particularly violent. Officers grabbed people by their necks and threw them on the ground. Several officers got on top of someone and beat him up.
15. After they beat them, they put them in solitary confinement cells. Everyone was terrified.
16. I remember one person said: we have human rights, why are you doing this to us? The officers took him out of the room and beat him.
17. I was hungry and thirsty because they did not give us enough food or water, but I did not ask for more because I was afraid the officers would beat me.
18. The rooms had one or two toilets. There were so many people using the toilets that the toilets would get clogged. When the toilets clogged, the toilet water flooded onto the floor, where we were forced to sleep. We told the officers that the toilet was clogged, but they would not fix it for hours. They would then clear the toilet clog and mop the floor, but they did not use any cleansers. They just mopped it with water. The room smelled awful.
19. The officers did not give us any hygiene items. They did not give us soap, hand sanitizer, a toothbrush, or toothpaste. I was not given a change of clothing and had to wear the same clothing the entire time I was at Broadview.
20. I was never given the option to shower. Even if I were allowed to use the shower, there were too many people around and no privacy. Some people tried to wash themselves using a bottle of water.
21. There was an elderly man in his 70s who was disabled. He was hemiplegic; he was paralyzed on one side. He had difficulty walking, and it was hard for him to reach the toilet, especially with so many people in the room. The officers refused to help him. Other people in the room helped him go to the bathroom but after two days of sleep deprivation, we were too tired to help him, and he urinated on himself. We asked the officers to give him his own room because he could not go to the bathroom but they did

not care, they left him in the room. He was forced to remain in the same soiled clothing for several days.

22. I arrived at Broadview on a Tuesday. The officers did not let me make a phone call until Wednesday. They let me use my phone for two minutes in front of an officer. I called my wife and told her where I was and to contact my attorney and to take care of my family. Afterwards, the officer took my phone away.
23. I kept asking to call my lawyer. The officers just kept responding, "later, later." They never let me call my lawyer.
24. I could see the officers process many of the other people who arrived with me. Many of them were given court dates.
25. I asked the officers why they would not process me or let me see a judge. One officer said he did not have time for me because there were a lot of people there. Another officer told me that they were going to take me to another facility and process me there.
26. On Thursday, I was brought to an immigration officer. He took my fingerprints. When he looked me up in their system, the officer commented that I have had no problems in my 21 years in the United States. I agreed and explained that I have a work permit and that I just work hard and come home to my family.
27. He asked if I wanted to be voluntarily removed. I said "no." I told him that I did not want to be voluntarily removed. I told him that I have been here for over 20 years without any problems and that my family, including my children, are here in Chicago.
28. I told him that I have a lawyer. I asked for my file number and a court date so my attorney could find me. He didn't give me the file number or let me call my lawyer.
29. The officers tried to make other people sign a document agreeing to voluntary deportation. When people refused to sign, they got angry.
30. I remember one man did not want to sign the document, but the officers tried to force him to sign it. One officer pulled the man's hand so hard that the officer injured him and he had to go to the hospital. When they brought him back to Broadview, they hit him in front of us.
31. On Sunday morning, I was transferred to a detention facility in Indiana, and then to Texas. Then they deported me to Honduras. I never signed anything agreeing to be deported.
32. Being at Broadview was very difficult. I have never been to jail before. I was worried about my family the whole time.

33. I am signing this declaration using a pseudonym because I fear retaliation from federal law enforcement authorities if my true identity is revealed in a public document.

This declaration was read to me in Spanish, a language that I know and understand. I declare under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 28, 2025, in Santa Rita, Yoro, Honduras.

Esta declaración me fue leída en español, un idioma que conozco y comprendo. Declaro bajo pena de perjurio, conforme a las leyes de los Estados Unidos, en 28 U.S.C. § 1746, que lo anterior es verdadero y correcto.

Firmado el 28 de octubre, 2025, en Santa Rita, Yoro, Honduras.

Jack Doe
Jack Doe (Oct 29, 2025 09:48:13 CDT)

CERTIFICATE OF TRANSLATION

I, Maikel Arista-Salado, certify that I am fluent in both the English and Spanish languages and that I am competent to translate between them. I have read the attached declaration to Jack Doe in Spanish, and he confirmed that he understood and agreed to its contents before signing.

Date: October 28, 2025

A handwritten signature in black ink, appearing to read 'Maikel Arista-Salado', is written over a horizontal line.

Maikel Arista-Salado, Paralegal

EXHIBIT 39

DECLARATION OF JUAN MUNOZ

I, Juan Munoz, declare as follows:

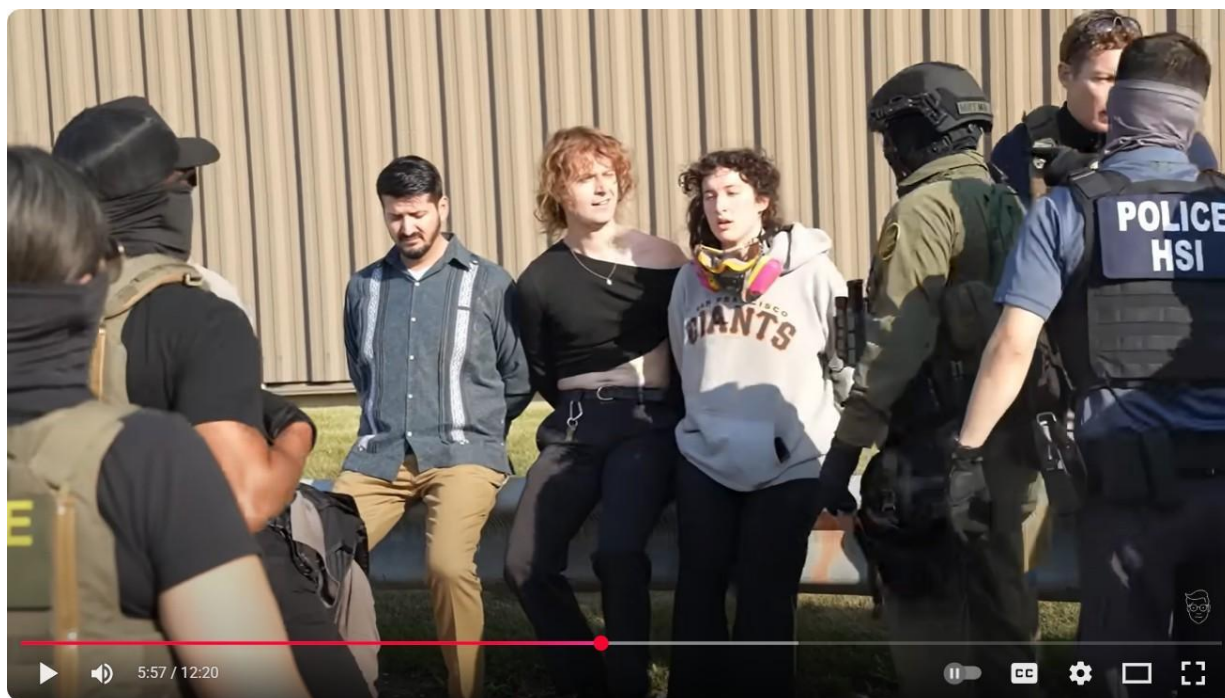
1. My name is Juan Munoz. I am over 18-years-old and competent to testify. I reside in Oak Park, Illinois.
2. I am a Trustee of the Township of Oak Park Board.
3. I chose to attend the protests at the Broadview ICE facility to show solidarity with the protesters there. I grew up in mixed-citizenship-status communities throughout the United States. There were regular immigration raids in the communities at places like meat-packing plants. When people were taken away in the raids, it was met with silence. There was no protest or uproar before or after. That silence was so hurtful.
4. As protests are happening, I am thankful that those who can raise their voices are doing so and are standing up for others.
5. I also went to Broadview protests because our community of Oak Park is being affected. Our employees, neighbors, and business patrons are afraid to leave their homes and are being detained and deported.
6. The escalation of violence by ICE has extended far beyond the enforcement of federal immigration law into suppression of dissent.
7. People who want harsh immigration laws also appear to be vilifying people who stick up for immigrants, especially Latino protesters, painting them as violent or unproductive citizens, or paid protesters. As a Latino business owner, non-profit board member, and elected official, I hope that I can help counteract that narrative. I hope to be an example of a Latino person who is a productive member of society and protests and assembles non-violently in order to support other community members and show them compassion.
8. I went to Broadview on a Tuesday morning when the gathering was peaceful. I went on Friday, September 28, 2025 and witnessed tear gas, pepperballs, and rubber bullets launched by federal agents. I saw that the aggression from federal agents progressed quickly with no provocation from civilians.
9. On Friday October 3, 2025, I went to the protest at Broadview arriving around 8:30. There was a new dynamic that day. I had to park much further away than I had before. Illinois State Police (ISP) were also present. Illinois State Police cleared a path along Harvard Street leading up to the ICE Detention Facility and ICE agents and vehicles were going out repeatedly.
10. Suddenly, ICE agents began to gather outside the gate by the ICE facility. They began to march out, led by U.S. Customs and Border Patrol Commander-at-Large, Gregory Bovino, who I had seen on television before, and followed by a military vehicle.

11. Once the procession got to the protesters, there was no violent response at all from the protesters still following the instructions of ISP Officers. Federal agents began to talk to ISP Officers who started to put on tear gas masks or fall back into the protestors and toward the parking lot entrance, away from the Federal Agents.
12. I told ISP Officers that they were doing the wrong thing by helping the federal agents. I expressed my point of view that what they were doing was objectively wrong. I was expressing myself but I did not antagonize them in any way, and I did not want to.
13. Commander Bovino was giving vague, confusing instructions to the crowd that were causing even more confusion. He said, "I'm going to give you one chance, start to move back." A few seconds later, he said, "Okay, arrest them." They grabbed a couple individuals nearest the agents. A federal agent told me to step back behind the metal guard rail. I did so, and he thanked me.
14. I thought I was standing in the right area - the "peaceful protest zone" they had established - behind the guard rail. I was filming the agents because I knew from my last attendance at a Broadview protest that federal agents could escalate their response quickly. At one point when I was standing by the rail filming the agents, a ruckus began behind me. This photo shows that I (wearing a blue shirt) was filming federal agents across the guard rail when I heard something behind me.



15. I started to try to walk away. A person I later learned was Gregory Bovino grabbed me by the shoulder from behind. He pulled me to the ground.
16. Bovino smacked my phone out of my hand. He said, "You're under arrest." He said to flip onto my stomach. I asked, "What are you doing?" As I turned onto my stomach, I said, "I'm an elected official." Bovino did not respond. I felt plastic zip ties going on my wrists. I kept saying, "I'm an elected official."
17. I was arrested, searched, and moved to the middle of a parking lot. At that point there were only arrestees, federal agents, and photographers and videographers who were with the federal agents. The people who had cameras were not wearing press passes or credentials. One of them was dressed very nicely in pressed clothes, dress shoes, and large shiny buckle without any of the gas masks or other equipment that the photographers on the grass had been wearing. There were no marked press members or protesters left.
18. We were led to sit on the guard rail.

19. Many SUVs drove out and stopped in front of us, and Kristi Noem exited from one. She gawked at us. She began to be interviewed by someone I later learned was youtuber Benny Johnson with us as a backdrop. I am in the blue shirt with light blue stripes in this screenshot from a Benny Johnson video.



I Went on an ICE Raid and Arrested Illegals in Chicago | What Happened Next is INSANE...



Benny Johnson ✓
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411K views 12 days ago

Thank you to Kristi Noem and ICE for the experience and allowing me to witness what agents have to deal with every single day.

20. I sat on the rail for about 40 minutes. We were given no instructions and no explanation. The federal agents talked to each other but not to us.
21. I was afraid they would use the fact that I am Latino in how they treated me. I was also afraid that they could use my name “Juan Munoz”, which is pretty common, to accidentally or purposefully confuse me with someone who is not a US citizen.
22. After Noem gave a statement to a person with a camera near her SUV; she entered the SUV and she drove away.
23. The agents started to ask us basic questions like our name, address, phone number. Another agent asked if we wanted to give a statement and I declined.

Detention

24. A federal agent began to lead us toward the facility. I said I was an elected official. She asked if my hand cuffs were too tight. I said they were. She did not do anything about it. Three weeks later, I still have numbness in my thumb.
25. The arrested civilians were searched again. Our shoelaces were removed or if they could not be removed, our shoes were taken.
26. After several hours they pulled us out one by one for FBI questioning. I heard from the other detainees that the questions were very leading like "Were you paid you to be here?", "Did you come from another state" and "Who brought you here?"
27. I also knew others had called the National Lawyers Guild hotline and knew that there was an attorney outside ready to represent us.
28. When I was brought into the room with the FBI, they said they did not know what was going on in here and gave the impression that they wanted to help me get out of there and get home. When they finished, I said, "Yes, I want an attorney. Her name is Alina. She is with the National Lawyers Guild, and she is outside and ready to represent me." They said they did not know if lawyers could come in at that time.
29. I was finally able to call my wife around 12:30. She knew I had been taken but did not know why or to where.
30. I was then interviewed and processed by an ICE agent, L. Lara. Her name was printed on her shirt. She asked me my name, address, phone number, place of birth and employment. I told her I was an elected official. I heard from one of the other men detained that this agent had used this question to antagonize them. When they answered, "I would rather not say" to this question, she reportedly replied, "I assume you're unemployed. I'm going to write down unemployed."
31. Agent L. Lara took my fingerprints and picture and looked to have written a case number on some documents beginning with CHI. This is where I feared I may be processed as an immigration enforcement detainee.
32. ICE brought in another young, Latino man. He was limping and had a scraped face and neck, swollen jaw, bruised wrist, and bruised leg. He told us he had been picked up by immigration agents with his dad at Home Depot. When agents approached his dad, he was worried because his dad had a medical device. When he tried to tell agents this, they threw him on the ground and were aggressive with him. He was detained along with his dad even though he was a US citizen. He did not receive any medical attention while at Broadview.

- 33. I told him there were lawyers outside. Eventually he was released when I was.
- 34. At around 4:30pm, the federal agents lined us up outside the detention cell and they had our things out. Again, they talked to each other, not to us. They were talking about loading us into a van and how many of us would fit. I did not know if we were going to another location or would be released. They never said if we were charged or not.
- 35. Finally, when they walked us out to the van they said they would drop us off at a gas station across 290 which turned out to be the Qwik Trip, 1.5 miles away. I was detained for around 8 hours.

Broadview facility

- 36. When I was detained inside Broadview, I was able to observe how the facility was being used and the conditions of the facility.
- 37. I observed four detention rooms off of a central work area, with large glass windows into the central area. Two of the rooms were larger than the other two. I was detained in one of the two smaller rooms. The two larger rooms had signs posted on the door to the central area stating a capacity of 80 people per room. These larger rooms were being used for immigration detainees.
- 38. The center work area was made up of several rows of desks, each paired with benches positioned in front. The benches were fitted with handcuff rails.
- 39. Both larger and smaller rooms had one toilet each. There was short wall about chest high near the toilet that provided minimum privacy.
- 40. When the door to my room was closed, there was minimal or no air circulation. The entire room smelled of excrement. There was soiled toilet paper in the waste bin by the toilet that had human excrement. There was no toilet seat cover on the toilet, just an open metal toilet. The floor around the toilet was filthy from people using and flushing the toilet and water and waste splashing out of the toilet. The toilet area clearly had not been cleaned for many, many days. Individuals that had had their shoes taken were sharing a pair of shoes left by a previous detainee so they could use the toilet area without soiling their socks.
- 41. The back of the furniture in my room was caked with dirt, and the floors were filthy even away from the toilet area.
- 42. I was provided one meal when I was detained in Broadview of one 6-inch Subway flatbread ham and cheese sandwich and a bottle of water of approximately 12 ounces. The immigration detainees received the same Subway sandwich that I received.
- 43. Based on the amount of Subway sandwich wrappers in the waste bin, it was clear there had been many people who had been detained in the cell since the garbage was last emptied.

Pursuant to 28 U.S.C § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on:

__October 23, 2025 at Oak Park, Illinois__

A handwritten signature in black ink, appearing to read "Juan Munoz", is written over a horizontal line.

Juan Munoz

EXHIBIT 40

DECLARATION OF FREDY CAZAREZ GONZALEZ

I, Fredy Cazarez Gonzalez, make the following declaration based on my personal knowledge:

1. My name is Fredy Cazarez Gonzalez and I am competent to make this declaration.
2. I was detained at Broadview for 5 days, from September 16, 2025 until September 20, 2025.
3. The conditions at Broadview were horrible. The officers treated all of us like savage animals.
4. I work in construction. On September 16, 2025, around noon, I was working in Naperville, getting some materials out of the company truck when two individuals with their faces covered approached me. They did not identify themselves.
5. They pushed me down onto the ground. One of them kicked me in my ribs. They also beat me with their fists and hit me on my head.
6. The individuals then handcuffed and shackled me and put me into a car. At the time I did not know the reason for my arrest. They did not show me a warrant or any other arrest document.
7. The individuals took me to the Broadview ICE facility.
8. When I arrived at Broadview, officers took off my handcuffs, and they placed me in a room with over 200 people. The room was small. I believe it was about 40 feet by 40 feet. It was very crowded. We were so packed that often we would step on each other's toes.
9. The room had about ten plastic chairs, which were not nearly enough for everyone to sit. Up to two people tried to sit down in each chair, even though it was only meant for one

person. The room was very dirty. There was used toilet paper on the floor, there was urine near the toilet. It smelled like urine, sweat, and feces. It smelled horrible.

10. There was one toilet in the room, in the corner. It was out in the open, and nothing separated it from the rest of the room. There was no privacy. It was dirty and there was urine on the floor.

11. At Broadview, I had to sleep on the floor near the toilet, with the urine on the ground, because there was nowhere else to lay down. It smelled very bad. The room was very cold at night, but the staff did not provide me with any blankets or extra clothes. There were no beds or mattresses. The staff left the lights on all day and night. It was also very loud all throughout the night. I was only able to sleep for about one hour each night because of these conditions.

12. There was no working shower at Broadview, so I could not shower for five days. The Officers did not give me any soap, a toothbrush, toothpaste, or anything else to clean myself.

13. No one processed me until September 20, 2025—five days after they brought me to Broadview.

14. In order to process me, a Broadview staff member took me out of the room, and handcuffed and shackled me. He took me to an open area inside the facility, which had a metal bench for me to sit on. The staff member handcuffed me to the bench. I was then questioned by a woman.

15. Another male staff member told me that I had no right to be here, or words to that effect. He told me that I had to sign the paperwork. I did not know what the paperwork was, but the staff member told me I had to sign for voluntary deportation. The staff member did not translate the document for me. I did not understand it because I do not read English.

16. The man said he would press on my head with his hands, which had rings on them, if I did not sign. I saw the man press on other individuals' heads when they refused to sign the paperwork, while another staff member grabbed their hands to force them to sign the paper. I felt as if I had no choice but to sign the paperwork.

17. I have been in the country for twenty years and my wife and children are here, so I wanted to fight for my rights. But I was given no choice but to sign, so with tears in my eyes, I signed the paperwork.

18. Staff forced people who refused to sign the paperwork to stay on the metal bench for hours as punishment until they signed.

19. After I was processed, the staff did not provide me with any paperwork.

20. The Broadview staff distributed food twice a day by standing in the doorway of the room and handing it out. Everyone tried to get food, but there was not enough for everyone. On some days, I was able to get one flour tortilla with some mayonnaise on it, twice a day. Other days, I was only able to get one tortilla. There was one day that I did not get any food. I had to eat the crumbs and leftovers that people left on the floor. Every time a staff member came into the room, people begged for food because we were so hungry. They ignored our pleas.

21. The staff only gave us one or two bottles of water a day. It was not enough.

22. While I was at Broadview, two detainees hit me on the head multiple times. They would pass by me as I was trying to sleep, and then they hit me on my head and grabbed my private parts. The staff saw them hitting me but did nothing to stop this from occurring.

23. Due to the injuries that the men who arrested me caused me, I was in pain the entire week. I was in so much pain that I was crying throughout the time I was at Broadview. However, the officers at Broadview did not provide me with any medical care.

24. I was not given any opportunity to make a phone call to my family or my attorney while I was at Broadview. There were some payphones in the holding room, but no one was able to successfully make any calls using those phones. I was unable to contact my family until nearly two weeks after my arrest, after I was transferred out of Broadview.

25. No one told me why I was there or what my rights were. I felt like I had been kidnapped. I did not feel safe. I was in distress because I thought I would never see my kids again.

26. On September 20, 2025, I was handcuffed and shackled again and transported in a van to Clay County Jail in Brazil, Indiana, where I continue to be detained today.

This declaration was read to me in Spanish, a language that I know and understand. I declare under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October __, 2025, at the Clay County Jail in Brazil, IN.

Esta declaración me fue leída en español, un idioma que conozco y comprendo. Declaro bajo pena de perjurio conforme a las leyes de los Estados Unidos de América, de acuerdo con la seccion 1746 del titulo 28 delCodigo de los Estados Unidos, que lo anterior es verdadero y correcto.

Firmado el 29 de octubre de 2025 en Clay County Jail en Brazil, IN.

Fredy CAZAREZ
Fredy Cazarez Gonzalez

CERTIFICATE OF TRANSLATION

I, Maikel Arista-Salado, certify that I am fluent in both the English and Spanish languages and that I am competent to translate between them. I have read the attached declaration to Fredy Cazarez Gonzalez in Spanish, and he confirmed that he understood and agreed to its contents before signing.

Date: October 29, 2025.

A handwritten signature in black ink, appearing to read 'Maikel Arista-Salado', written over a horizontal line.

Maikel Arista-Salado, Paralegal

Executed on October 29, 2025.