

Exhibit 1

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

JENNY LISETTE FLORES, <i>et al.</i> ,)	Case No. CV 85-4544 DMG (AGRx)
)	
Plaintiffs,)	<u>EXHIBIT 1</u> IN SUPPORT OF PLAINTIFFS' MOTION
- vs -)	TO ENFORCE SETTLEMENT AND FOR
)	APPOINTMENT OF A SPECIAL MONITOR:
LORETTA E. LYNCH, Attorney)	DECLARATION OF CLASS COUNSEL
General of the United States, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

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DECLARATION OF PETER A. SCHEY

I, Peter A. Schey, depose and say:

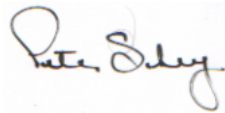
1. This declaration is made in support of Plaintiffs' Response to Defendants' First Juvenile Coordinator Reports.
2. I am the Executive Director of the Center for Human Rights and Constitutional Law ("CHRCL") and serve as one of the Class Counsel in the instant litigation.
3. In order to monitor Defendants' efforts at complying with the Courts June 2017 Order, I, along with my staff at CHRCL, coordinated inspections of Customs and Border Protection's ("CBP") Ursula facility on December 8, 2017, the Immigration and Customs Enforcement ("ICE") facility in Dilley, Texas on December 6, 2017 and December 7, 2017, the ICE detention facility in Karnes, Texas, on December 7, 2017, and the ICE facility in Berks, Pennsylvania on December 20, 2017 and December 21, 2017. These inspections are authorized pursuant to Paragraph 33 of the *Flores* Settlement. In addition to inspecting the facilities, pursuant to Paragraph 33 inspection attendees interviewed numerous detained Class Members and their mothers.
4. Teams at each location were comprised of numerous volunteer attorneys and paralegals who fully participated in the inspections and interviews with Class Members and mothers. Before each site visit, teams participated in mandatory orientations to understand their duties and responsibilities. Of Counsel for Plaintiffs, Virginia Corrigan, was also present at several of these visits.
5. As typically done, Class Counsel provided Defendants' Counsel with advance notice of the inspections and the dates of the inspections were mutually agreed upon. Numerous Class Members and mothers of class members have tendered declarations regarding Defendants' compliance with the Settlement and this Court's June 2017 Order and those declarations are filed herewith.
6. Class Counsel was able to determine dates and locations of detention for Class Members apprehended before the end of November 2017 using the most recent monthly reports submitted to Plaintiffs by Defendants pursuant to the Court's August 2015 Order [Doc. # 189]. Due to the

1 voluminous nature of the report, Plaintiffs have not attached it as an exhibit to their response but
2 can file a copy if the Court deems necessary.

3
4 7. Class Counsel had limited availability and resources to conduct monitoring of Defendants' efforts
5 at compliance. During the relatively short time that monitoring could be conducted, site visit
6 volunteers were able to interview and collect declarations of 60 individuals total, nearly all of
7 whom indicated that there continues to be non-compliance.

8 8. After reviewing the Juvenile Coordinator's Reports and the Numerous Declarations Collected, the
9 results do not indicate that Defendants are in or approaching substantial compliance with the
10 Settlement, but rather substantial non-compliance.

11 I declare under penalty of the perjury that the foregoing facts are true and correct. Executed
12 this 8th day of January, 2018, in Los Angeles, California.

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16 Peter A. Schey
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Exhibit 2

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 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

JENNY LISETTE FLORES, *et al.*,

Plaintiffs,

- vs -

LORETTA E. LYNCH, Attorney
 General of the United States, *et al.*,
 Defendants.

) Case No. CV 85-4544 DMG (AGRx)
) EXHIBIT 2 IN SUPPORT OF PLAINTIFFS'
) RESPONSE TO DEFENDANTS' FIRST JUVENILE
) COORDINATOR REPORTS: EXCERPTS OF CLASS
) MEMBER AND ACCOMPANYING PARENT
) DECLARATIONS
)
)
)
)

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A. BORDER PATROL STATION CONDITIONS

1. ACCESS TO FOOD

Romanian national Luminita B [REDACTED] is detained wither her daughter, 12-year-old Flores Class Member, Ducesa B [REDACTED], at the South Texas Family Residential Center in Dilley, TX. Luminita and her daughter were apprehended on November 18, 2017 after presenting themselves to Border Patrol Agents near McAllen, TX (Rio Grande Valley Sector) and then booked in to Dilley on November 21, 2017. They had been in DHS custody for 20 days when Luminita declared, "The food was awful. It made both my daughter and me nauseated. I vomited repeatedly. I suffer from gastritis and told the guards that I had medication, but they would not let me access it. When I vomited in the waste basket in my cell, they would leave it there until midnight so that the cell smelled like vomit." Declaration of Luminita B [REDACTED], Ex. 21 ¶ 7.

Darinel L [REDACTED], an 18-year-old citizen of Guatemala, is detained at the Berks County Family Residential Center in Berks, PA, with his son, 1-year-old Flores Class Member Daladier L [REDACTED]. On December 4, 2017, Darinel presented himself and his son to Border Patrol agents at a port of entry near Tornillo, Texas (El Paso Sector) and were immediately taken into custody. Darinel and his son were then transferred to Berks 4 days later. After 18 days in custody, Darinel declared: "At both of these facilities, there was not enough food and my son suffered from hunger the whole time. At the CBP facility, they gave us a cup of soup each for every meal. The soup was just liquid, no solid food. My son was very hungry because he only drank one cup of soup for the first two days when where detained at that facility." Declaration of Darinel L [REDACTED], Ex. 5 ¶ 4.

Flores Class Member Maybelline E [REDACTED] is a 13-year-old national of El Salvador detained with her mother at the South Texas Family Residential Center in Dilley, TX. Maybelline and her mother were apprehended by Border Patrol Agents on November 18, 2017 near McAllen, TX (Rio Grande Valley Sector) and booked in to Dilley on or about November 21, 2017. After 20 days in detention, Maybelline declared, "The food at la perrera was terrible. We were given a flour tortilla with rice and beans twice a day. Although there was lettuce, the lettuce was spoiled." Declaration of Maybelline E [REDACTED], Ex. 24 ¶ 5.

Martin F [REDACTED], a citizen of Guatemala, is detained at the Berks County Family Residential Center in Berks, PA, with his daughter, 7-year-old Flores Class Member Juana F [REDACTED]. On or about November 28, 2017, Martin and his daughter were apprehended by Border Patrol agents at the border near El Paso, Texas (El Paso Sector) and were immediately taken into custody. Martin and his daughter were not transferred to Berks until December 4, 2017, 6 dater. Martin had been in custody for 24 days when he declared, "We were very hungry the six days we were detained by CBP. Three times a day we were given cookies and the children were given some soup. My daughter would cry often because she was so hungry. A few times, I asked CBP officers for food and they said no because it's not time for food." Declaration of Martin Francisco-Miguel, Ex. 60 ¶ 6.

Maria V [REDACTED], a citizen of Honduras, is detained at the Karnes County Residential Center in Karnes City, Texas, with her son, 12-year-old Flores Class Member Jose A [REDACTED]. On November 24, 2017 Maria presented herself at the Port of Entry between Juarez, Mexico and El Paso, Texas (El Paso Sector) and was immediately taken into custody. Maria and her son were then transferred to ICE custody on November 25, 2017 and arrived at Karnes two days later. After 14 days in custody, Maria declared, "[W]e had the same kind of food that we had at the previous facility. I was very hungry by

this point because I had not been given enough food to eat. My stomach also got sick and I got diarrhea from eating so much soup. This was difficult because the bathrooms were always full." Declaration of Maria V [REDACTED], Ex. 36 ¶ 7.

Dora S [REDACTED], a citizen of El Salvador, is detained at the Karnes County Residential Center in Karnes City, Texas, with her daughter, 8-year-old Flores Class Member Katherine E [REDACTED]. On November 30, 2017 Dora and her daughter were apprehended after crossing near Brownsville, Texas (Rio Grande Sector), taken into custody, and transferred to Karnes 5 days later. After 8 days in custody, Dora declared, "The day I arrived, I wanted water but they only gave us juice and cookies. They did not give us dinner. We didn't get water or any other food until the next day. The meals in the ice box were ham sandwiches (that sometimes had ice on them) and cold burritos." Declaration of Dora S [REDACTED], Ex. 30 § CBP ¶ 2.

Veronica Y [REDACTED], a citizen of El Salvador, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with her Flores Class Member sons, 3-year-old Alex H [REDACTED] and 2-year-old Antonio E [REDACTED]. While still in CBP custody, Veronica declared, "The first day my sons and I arrived, we got here around 7:00 p.m. We were rather hungry and tired. They gave each of us a small bottle of artificial "juice" and a small packet of cookies. That was the only food and drink we got until the next day. That same night, another woman in my cell was thirsty, and she requested water. The guard told her to drink from the sink that was in our cell. The woman declined to drink that way. There were no cups or anything like that." Declaration of Veronica Y [REDACTED], Ex. 45 ¶ 4.

Alma S [REDACTED], a 17-year-old Flores Class Member and Honduran national detained with her mother at the South Texas Family Residential Center in Dilley, TX. On or about November 15, 2017, Alma and her mother presented themselves to Border Patrol agents after crossing the Rio Grande River into the U.S. Alma had been in DHS custody for 23 days when she declared, "[at la hielera we] got fed the same meal three times a day: a small, cold burrito. I got a bottle of juice with each meal. That was all I had to eat and drink; I was hungry and thirsty. My mother had the same diet, except that she was given no water to drink with any meal, nor between meals. She has told me that she was extremely thirsty. When it was meal time someone came into each cell and rudely gave us the food." Declaration of Alma S [REDACTED], Ex. 6 ¶ 6.

Bessy L [REDACTED] is a Honduran national and mother detained with her three children, Flores Class Members Katherine G [REDACTED] (14 years old), Dixie Y [REDACTED] (11 years old), and Luis F [REDACTED] (9 years old), at the South Texas Family Residential Center in Dilley, TX. Bessy and her children were apprehended on November 14, 2017 after entering near Calexico, CA (El Centro Sector) and transferred to ICE's San Diego District Staging facility on November 16, 2017 before arriving at Dilley the following day. They had been in DHS custody for 24 days when Bessy declared, "[in CBP custody] [w]e were fed three times a day, but my daughter was given no snacks. My sons were given crackers and juice." Declaration of Bessy L [REDACTED], Ex. 9 ¶ 3.

Candida R [REDACTED], a citizen of Honduras, is detained at the Karnes County Residential Center in Karnes City, Texas, with her son, 6-year-old Flores Class Member Brian L [REDACTED]. On November 26, 2017 Candida presented herself at the Port of Entry between Juarez, Mexico and El Paso, Texas (El Paso Sector) and was immediately

taken into custody and transferred to Karnes 5 days later. After 12 days in custody, Candida declared, "My son lost 3 pounds and got very sick and it seemed like he needed to vomit but he wasn't vomiting. The immigration officials took us to the hospital. I think the reason he got sick was partially because of the food." Declaration of Candida R [REDACTED], Ex. 28 § CBP ¶ 5.

Class Member mother Jozelia d [REDACTED] is a citizen of Brazil detained with her 1-year-old daughter, Evelyn d [REDACTED], at the South Texas Family Residential Center in Dilley, TX. Jozelia and her daughter were taken into custody by Border Patrol Agents on November 22, 2017 after they presented themselves at the U.S. port of entry at Juarez, Mexico (El Paso Sector). They transferred Jozelia and her daughter to ICE's El Paso Hold Room on November 23, 2017 before arriving at Dilley two days later. They had been in DHS custody for 16 days when Jozelia declared, "[m]y daughter and I arrived in the evening, at about 6 p.m. They gave us nothing to eat when we arrived. My daughter was so hungry. The other mothers warned us not to tell the guards because they would get angry, so I tried to comfort my daughter with the breast. They did not feed us until 6:00 a.m. the next morning." Declaration of Jozelia d [REDACTED], Ex. 18 ¶ 5.

Class Member Alma S [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "[t]he food situation was also similar to how it was in la hielera. The food was basically the same. The difference is that the food was heated a little (it was lukewarm, not hot) in la perrera and they brought me a bottle of juice with every meal, not just once a day. My mother was given a bottle of water with every meal once in the perrera, whereas she had received no water at all in la hielera." Declaration of Alma S [REDACTED] *Alvapa Sanchez Ruiz*, Ex. 6 ¶ 15.

Ana B [REDACTED], a mother and Honduran national detained with her 6-year-old son and Flores Class Member, Deriz L [REDACTED], at the South Texas Family Residential Center in Dilley, TX. On or about November 9, 2017, Ana and her son presented themselves to Border Patrol agents after crossing the Rio Grande River into the U.S. Ana had been in DHS custody for 29 days when she declared, "[a]t la perrera, we were fed the same food three times a day: a kind of lukewarm bean taco, a churro, an apple, and a bottle of water. Apart from that, there was no other chance to eat or drink. We were fed in the early morning, then again at about 11:00 a.m., then again about 4:00 p.m. We ate while sitting on our mattresses." Declaration of Ana B [REDACTED] *Bessibel Munoz Gomez*, Ex 7 ¶ 5.

Blanca E [REDACTED] is a citizen of El Salvador and mother detained with her three children, Fabio G [REDACTED] (8 years old), Diego G [REDACTED] (13 years old), and Leandro G [REDACTED] (11 years old), at the South Texas Family Residential Center in Dilley, TX. Blanca and her children were apprehended on October 26, 2017 after presenting themselves to Border Patrol Agents near McAllen, TX (Rio Grande Valley Sector) and booked in to Dilley on October 28, 2017. They had been in DHS custody for 43 days when Blanca declared, "[t]he first place we were in for a day was horrible. ... They gave us a cookie and one little bottle of water." Declaration of Blanca E [REDACTED], Ex. 10 ¶ 4.

Honduran national Maria D [REDACTED] is detained with her son, 1-year-old Flores Class Member, Edison A [REDACTED], at the South Texas Family Residential Center in Dilley, TX. Maria and her son were apprehended by Border Patrol Agents on November 25, 2017 near McAllen, TX (Rio Grande Valley Sector) and then booked in to Dilley on

November 29, 2017. They had been in DHS custody for 13 days when Maria declared, "The food at La Hielera was very bad. We got a little burrito for breakfast, a little burrito for lunch, and all we had for dinner was two pieces of white bread with a piece of fatty ham that was wet like it had been frozen." Declaration of Maria Dominga López, Ex. 22 ¶ 3.

Class Member mother Iris A. [REDACTED] is a citizen of Honduras detained with her son, 5-year-old Anderson L. [REDACTED], at the South Texas Family Residential Center in Dilley, TX. Iris and her son were apprehended by Border Patrol Agents on November 6, 2017 and taken to CBP's McAllen facilities before being booked in to Dilley on November 8, 2017. They had been in DHS custody for 32 days when Iris declared, "[w]e were held in the hielera for about one and a half days... We were provided a sandwich and water." Declaration of Iris A. [REDACTED] Orellana, Ex. 15 ¶ 3.

Ducesa B. [REDACTED], a 12-year-old Flores Class Member and Romanian national detained with her mother at the South Texas Family Residential Center in Dilley, Tx. Ducesa was apprehended on November 18, 2017 after presenting themselves to Border Patrol Agents near McAllen, TX (Rio Grande Valley Sector) and booked in to Dilley on November 21, 2017. She had been in DHS custody for 20 days when Ducesa declared, "[w]e were given chips and sandwiches, along with water, while we were in this cell. We received only one meal during our time in the cell." Declaration of Ducesa B. [REDACTED], Ex. 13 ¶ 5.

"The food was awful. It made me nauseated. They would feed us burritos and bad sandwiches three times a day, at 6 a.m., 11 a.m., and 4 p.m. At the same time, they would give us chips, an apple, and a bottle of water. We received nothing to eat for fourteen hours per day (from 4 p.m. to 6 a.m.). I was so hungry because I could not eat the burritos and the sandwiches. I asked for snacks, but they refused to give me any." Declaration of Ducesa B. [REDACTED], Ex. 13 ¶ 7.

Dinora E. [REDACTED] is a citizen of El Salvador and mother detained with her daughter, 12-year-old Flores Class Member, Yanci I. [REDACTED], at the South Texas Family Residential Center in Dilley, TX. Dinora and her daughter were apprehended on November 17, 2017 after presenting themselves to Border Patrol Agents and booked in to Dilley on November 20, 2017. They had been in DHS custody for 21 days when Dinora declared, "[a]t the holding center, we got the same food three times per day: a burrito, an apple, chips, and a bottle of water. It was the same diet for both kids and adults, with the one difference that the kids also got an extra bottle of juice and some cookies with each meal." Declaration of Dinora E. [REDACTED], Ex. 12 ¶ 10.

Iris A. [REDACTED] was detained with her 5-year-old son at a CBP facility near McAllen, TX and declared that while there, "[W]e were taken to a different holding facility that is referred to as the dog pen-la perrera. We were held there for about a day... We were given a burrito with rice and beans and water." Declaration of Iris A. [REDACTED], Ex. 15 ¶ 4.

Class Member mother Jessica N. [REDACTED] is a citizen of Honduras detained with her 1-year-old daughter, Briana S. [REDACTED], at the South Texas Family Residential Center in Dilley, TX. Jessica and her daughter were taken into custody by Border Patrol Agents on November 4, 2017 after she entered through Juarez, Mexico (El Paso Sector) and presented herself at a CBP station. They transferred Jessica and her daughter to ICE's El Paso Hold Room on November 6, 2017 before arriving at Dilley the following day. They had been in DHS custody for 34 days when Jessica declared, "[t]o eat, we were given some

soups and burritos; we were not given any snacks.” Declaration of Jessica N [REDACTED], Ex. 17 ¶ 3.

Veronica M [REDACTED] is a citizen of Guatemala and mother detained with her son, 1-year-old Flores Class Member, Adiel R [REDACTED], at the South Texas Family Residential Center in Dilley, TX. On November 7, 2017 Veronica and her son were apprehended by Border Patrol Agents in Arizona (Tucson Sector) and then transferred to ICE’s Phoenix District Office on November 9, 2017 before arriving at Dilley the next day. They had been in DHS custody for 31 days when Veronica declared, “The food at the hielera was bad.” Declaration of Veronica M [REDACTED], Ex. 26 ¶ 4.

Mexican national Maria F [REDACTED] is detained wither her son, 4-year-old Flores Class Member, Christopher C [REDACTED], at the South Texas Family Residential Center in Dilley, TX. On December 3, 2017 Maria, Christopher, and her two older sons, who happen to be U.S. Citizens, presented themselves to Border Patrol Agents near McAllen, TX (Rio Grande Valley Sector) and were immediately taken into custody. Her U.S. citizen children were released to a family friend and Maria and Christopher were then booked in to Dilley the next day. They had been in DHS custody for 5 days when Maria declared, “We arrived to 3:30 am. We were put in a cell... At 6:00, they came in and kicked us to wake up... They put some food on the floor, some bread, water and an apple. They talked to us harshly.” Declaration of Maria F [REDACTED], Ex. 23 ¶ 5.

Daili A [REDACTED] is a citizen of Guatemala and mother detained with her daughter, 4-year-old Flores Class Member, Heyssell Z [REDACTED], at the South Texas Family Residential Center in Dilley, TX. Daili and her daughter were apprehended by Border Patrol Agents on November 10, 2017 after entering through Sonora, Mexico (Tucson Sector) and transferred to ICE’s Phoenix District Staging facility on November 13, 2017 before arriving at Dilley the following day. They had been in DHS custody for 28 days when Daili declared, “[at la hielera] [w]e were given a burrito, a cookie and a juice. My daughter wouldn’t eat. The whole time we were there, she only had juice. I didn’t like it, but I ate so I wouldn’t get sick.” Declaration of Daili A [REDACTED], Ex. 11 ¶ 4.

Salvadorian national Mirna P [REDACTED] is detained wither her son, 7-year-old Flores Class Member, Carlos M [REDACTED], at the South Texas Family Residential Center in Dilley, TX. On November 4, 2017 Mirna and her son were apprehended by Border Patrol Agents near Brownsville, TX (Rio Grande Valley Sector) and then booked in to Dilley the next day. They had been in DHS custody for 34 days when Maria declared, “The food at la perrera was bad. My son only ate an apple the two days that we were there.” Declaration of Mirna P [REDACTED], Ex. 25 ¶ 4.

Aurelia D [REDACTED] is a mother and Romanian national detained with her 13-year-old son and Flores Class Member, Giovanni D [REDACTED], at the South Texas Family Residential Center in Dilley, Tx. Aurelia was apprehended with her son on December 2, 2017 after presenting themselves to Border Patrol Agents near Brownsville, TX (Rio Grande Valley Sector) and booked in to Dilley on or about December 5, 2017. She had been in DHS custody for 5 days when Aurelia declared, “They did not give him enough food. They gave him no breakfast, a frozen sandwich cut in triangles and chips for lunch. Most of the meals were like this (a frozen sandwich and chips). All of the meals were cold except one. That meal was macaroni, which was served a little warm. My son was so hungry that he asked for snacks. They saw

he was just a boy so they gave him some snacks.” Declaration of Aurelia D [REDACTED], Ex. 8 ¶ 8.

Flores Class Member Giovanni D [REDACTED] is a 13-year-old Romanian national detained with his mother at the South Texas Family Residential Center in Dilley, TX. Giovanni and his mother were apprehended by Border Patrol Agents on December 2, 2017 near Brownsville, TX (Rio Grande Valley Sector) and booked in to Dilley on or about December 5, 2017. After 5 days in detention Giovanni declared, “They did not give me enough food. They gave me no breakfast, a frozen sandwich cut in triangles and chips for lunch. Most of the meals were a frozen sandwich and chips. All of the meals were cold except one. That meal was macaroni, which was served a little warm. I was so hungry I asked for snacks, which they gave me.” Declaration of Giovanni D [REDACTED], Ex. 14 ¶ 8.

Mayra J [REDACTED] is a citizen of Guatemala and mother detained with her son, 4-year-old Flores Class Member, Dayron F [REDACTED], at the South Texas Family Residential Center in Dilley, TX. On November 14, 2017 Mayra and her son presented themselves to Border Patrol Agents at the port of entry in San Luis Colorado, Arizona (Tucson Sector) and were immediately taken into custody. They were then transferred to ICE’s Phoenix District Staging facility on November 15, 2017 before arriving at Dilley on November 17, 2017. They had been in DHS custody for 24 days when Mayra declared, “We were fed three times a day. Sometimes we had cold burritos and other times we were given very cold sandwiches. We were also given bags of chips and apples. There were no snacks in between meals, not even for the children, except for one snack of cookies for my son right when he arrived.” Declaration of Mayra J [REDACTED], Ex. 16 ¶ 12.

Roxana G [REDACTED], a citizen of El Salvador, is detained at the Karnes County Residential Center in Karnes City, Texas, with one her three children, 11-year-old Flores Class Member Daniela A [REDACTED]. On November 26, 2017, Roxana and Daniela presented themselves to Border Patrol agents near El Paso, Texas (El Paso Sector) and were immediately taken into custody. Roxana and her daughter were then transferred to ICE custody on November 27, 2017 and arrived at Karnes the next day. After 12 days in custody, Roxana declared, “For the three days we were there, we were fed only soup for all three meals. The children were given a small packet of animal crackers at dinner and juice whenever the guards felt like it. One of the guards once gave us an extra soup and napkins, but he had to hide it so he wouldn’t get in trouble. Once my daughter asked for an extra juice. The guard said that it wasn’t a supermarket where she could have whatever she wanted. My daughter was hungry the whole time. She also became sick with diarrhea from eating so much soup and juice that was expired. The guards said that there were a lot of sick children, but there was no medical treatment available.” Declaration of Roxana G [REDACTED], Ex. 37 ¶ 5.

Francis M [REDACTED], a citizen of Honduras, is detained at the Karnes County Residential Center in Karnes City, Texas, with his son, 6-year-old Flores Class Member Dani E [REDACTED]. On December 1, 2017, Francis and his son were apprehended by Border Patrol agents after crossing into the United States. They were then taken into custody and transferred to Karnes 4 days later on December 4, 2017. After 7 days in custody, Francis declared, “We were fed a small taco for breakfast and for lunch. For dinner we were given a sandwich. With every meal we were given an apple and some chips.” Declaration of Francis M [REDACTED], Ex. 34 ¶ 5.

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, "In the first building... [a]ll we were given to eat was three instant soups per day, and occasionally a bean burrito. Some people asked for more food, but we weren't allowed to have more food. The children were given juice and a cookie, but only at mealtimes. Some children were crying very loudly because they didn't have any milk to drink, and sometimes the guards would give those children an extra juice." Declaration of Maria V [REDACTED], Ex. 36 ¶ 3.

Flores Class Member mother Damaris C [REDACTED], a citizen of Guatemala, is detained at the Karnes County Residential Center in Karnes City, Texas, with her two children, 3-year-old Missrai I [REDACTED] and 9-year-old Linney S [REDACTED]. On November 16, 2017 Damaris and her children presented themselves to Border Patrol Agents and were immediately taken into custody. After about three days in CBP custody, they were transferred to ICE's Phoenix District Office before arriving at Karnes the following day. They had been in DHS custody for 22 days when Damaris declared, "For breakfast, lunch, and dinner every day we had instant soup. Beyond that all we were given to eat was juice, milk, and cookies." Declaration of Damaris C [REDACTED], Ex. 29 ¶ 3.

Flores Class Member mother Francisca L [REDACTED], a citizen of Guatemala, is detained at the Karnes County Residential Center in Karnes City, Texas, with her daughter, 4-year-old Meylin R [REDACTED]. On November 14, 2017, Francisca and her daughter were apprehended by Border Patrol Agents and were immediately taken into custody. After about two days in CBP custody, they were transferred to ICE's Phoenix District Office on November 16, 2017 before arriving at Karnes the following day. They had been in DHS custody for 24 days when Francisca declared, "For food we were given instant soup three times a day. The children got juice and one cookie." Declaration of Francisca L [REDACTED], Ex. 35 ¶ 2.

Silvia S [REDACTED], a citizen of Guatemala, is detained at the Karnes County Residential Center in Karnes City, Texas, with her daughter, 10-year-old Flores Class Member Arlin G [REDACTED]. On November 17, 2017, Silvia and her daughter were apprehended by Border Patrol agents after crossing the Rio Grande River into the United States. They were then taken into custody and transferred to Karnes on November 19, 2017. After 21 days in custody, Silvia declared, "We did not receive any food when we arrived. We were really hungry because we didn't eat anything that day. We arrived at 2 pm and they gave me food at 5 pm. They provided me and my daughter with a burrito, a small bottle of water and a metallic blanket.

At the CBP facility, we were fed at 7 am, 1 pm, and 5 pm. At breakfast and lunch we were each given a bean burrito and an apple and for dinner we were each given a ham sandwich, an apple and a bag of potato chips. We were given bottled water and snacks." Declaration of Silvia S [REDACTED], Ex. 39 ¶¶ 2, 3.

Dorca V [REDACTED], a citizen of Honduras, is detained at the Karnes County Residential Center in Karnes City, Texas, with her son, 16-year-old Flores Class Member Alex T [REDACTED]. On November 16, 2017, Dorca and her son were apprehended after crossing near McAllen, Texas (Rio Grande Sector), taken into custody, and transferred to Karnes on November 19, 2017. After 22 days in custody, Dorca declared, "They gave us a burrito and an apple to eat for breakfast, lunch and dinner." Declaration of Dorca V [REDACTED], Ex. 31 § CBP ¶ 8.

Elsa E [REDACTED], a citizen of El Salvador, is detained at the Karnes County Residential Center in Karnes City, Texas, with her daughter, 17-year-old Flores Class Member Kathya E [REDACTED]. On November 25, 2017 Elsa presented herself at the Port of Entry between Juarez, Mexico and El Paso, Texas (El Paso Sector) and was immediately taken into custody and transferred to Karnes 7 days later. After 13 days in custody, Elsa declared, "We were very hungry at the port of entry facility. There was not enough food. They just gave us soup and crackers, and once in a while a burrito. We did not get any fruit or vegetables when we were there." Declaration of Elsa E [REDACTED], Ex. 33 § CBP ¶ 4.

Candida R [REDACTED] was detained with her 6-year-old son at a CBP facility near McAllen, TX and declared that while there, "We only were given instant soup cups three times a day and sometimes hard animal crackers or burrito. Later they gave us instant soup cups two times a day. Some people wouldn't eat it because it was so bad. I did not eat at all for five days. I only drank water. I lost 8 pounds." Declaration of Candida R [REDACTED], Ex. 28 § CBP ¶ 4.

Flores Class Member Dulce O [REDACTED], a 16-year-old citizen of Honduras, is detained at the Karnes County Residential Center in Karnes City, Texas, with her mother. On December 1, 2017, Dulce and her mother were apprehended by Border Patrol agents after crossing near Brownsville, Texas (Rio Grande Sector), taken into custody, and transferred to Karnes 4 days later on December 4, 2017. After 7 days in custody, Dulce declared, "Breakfast and lunch was always a burrito an apple and a potato chips in both the ice box and the dog pound. Dinner was always a ham sandwich, an apple and a potato chips." Declaration of Dulce O [REDACTED], Ex. 32 § CBP ¶ 2.

Class Member Dulce O [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "They gave us milk that was expired." Declaration of Dulce O [REDACTED], Ex. 32 § CBP ¶ 4.

Santos M [REDACTED], a citizen of Honduras, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with her Flores Class Member sons, 17-year-old Luis F [REDACTED] and 10-year-old Cristopher G [REDACTED]. On December 6, 2017, Santos and her sons were apprehended and taken into custody by Border Patrol agents after crossing the Rio Grande River into the United States near McAllen, TX. After 2 days in CBP custody, Santos declared, "For breakfast and lunch we are given an apple and a burrito with rice, eggs, and beans. For dinner, we are given a ham sandwich and an apple. The sandwich has only a thin slice of ham and a slice of lettuce with no condiments. I don't think it's right to give my sons the same food over and over. They don't want to eat it anymore." Declaration of Santos M [REDACTED], Ex. 38 ¶ 7.

Rigoberto L [REDACTED], a citizen of Guatemala, is detained at the Berks County Family Residential Center in Berks, PA, with his son, 4-year-old Flores Class Member Gregorio L [REDACTED]. On or about December 10, 2017, Rigoberto and his son presented themselves to Border Patrol agents at the border near El Paso, Texas (El Paso Sector) and were immediately taken into custody. Rigoberto and his son were not transferred to Berks until December 20, 2017, 10 later. Rigoberto had been in custody for 12 days when he declared, "My son and I were very hungry while we were detained by CBP. We were each given a really bad sandwich

and a juice two times a day. It was not enough food for us and it was bad food.” Declaration of Rigoberto L [REDACTED], Ex. 56 ¶ 7.

Rigoberto L [REDACTED] was detained with his 4-year-old son at Berks County Family Residential Center in Berks, PA and declared that while there, “On December 20, 2017, my son and I were transferred to the Berks County Residential Center (BCRC). My son refuses to eat the food at BCRC because he is accustomed to eating tortillas and beans and rice. He only eats cookies and rice sometimes. It hurts me to see him eat so little.” Declaration of Rigoberto L [REDACTED], Ex. 56 ¶ 11.

Gaspar M [REDACTED], a Guatemalan citizen, is detained at the Berks County Family Residential Center in Berks, PA, with his son, 14-year-old Flores Class Member Tomas A [REDACTED]. On or about November 30, 2017, Gaspar and his son presented themselves to Border Patrol agents at a port of entry and immediately taken into a CBP facility in El Paso, TX. Gaspar and his son were not transferred to Berks until 5 days later. After 22 days in custody, Gaspar declared: “[t]he food was not enough. We were only given a cup of soup for breakfast, a cup of soup for lunch, and a burrito for dinner.” Declaration of Gaspar M [REDACTED], Ex. 57 ¶ 6.

Ignacio B [REDACTED], a Guatemalan citizen, is detained at the Berks County Family Residential Center in Berks, PA, with his son, 5-year-old Flores Class Member Westin B [REDACTED]. On or about December 17, 2017, Ignacio and his son were apprehended by Border Patrol agents after climbing over a wall at the U.S. border and immediately taken to a CBP facility near Presidio, TX (El Paso Sector). Ignacio and his son were not transferred to Berks until December 20, 2017. After 5 days in custody, Ignacio declared, “In the CBP stations, we were given very little food. They gave us some burritos and sandwiches but my son and I were hungry because it was not enough food for both of us.” Declaration of Ignacio B [REDACTED], Ex. 59 ¶ 5.

Mario S [REDACTED], a citizen of Guatemala, is detained at the Berks County Family Residential Center in Berks, PA, with his son, 8-year-old Flores Class Member Roberto S [REDACTED]. On or about December 4, 2017, Mario and his son presented themselves to Border Patrol agents at the Southwest border and were immediately taken to a CBP facility in Texas. Mario and his son were transferred to Berks 4 days later. After 18 days in custody, Mario declared: “We were given water and a burrito in the morning, lunch, and dinner. We did not have access to a shower and there was one toilet for 16 people.” Declaration of Mario S [REDACTED], Ex. 61 ¶ 5.

Darinel L [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 1-year old son and while there declared, “At this second facility, they also did not give us enough food. We got some cereal for breakfast, then some solid food for lunch and just liquid soup for dinner. My son continued to suffer from hunger during the time we were detained there.” Declaration of Darinel L [REDACTED], Ex. 5 ¶ 7.

17-year-old Flores Class Member Katya J [REDACTED], a citizen of El Salvador, was detained with her father at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX. On December 6, 2017, Katya and her father presented themselves to Border Patrol agents after crossing the Rio Grande River into the United States. Katya had been in custody for two days when she declared, “I ate some tortillas with rice and beans, an apple, some chips, juice and a water. They asked me whether I had come with my father and they took me to

see him for about 15 minutes. It wasn't enough time – I was crying because I was scared to leave him again. I went back to the large room and we were fed again but I didn't eat because the food is always the same. The taco is the only warm food we get." Declaration of Katya J [REDACTED], Ex. 42 ¶ 4.

Wilmer Alexis A [REDACTED], a citizen of Honduras, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with his son, 8-year-old Flores Class Member Wilmer A [REDACTED]. On December 6, 2017, Wilmer and his son presented themselves to Border Patrol agents crossing the Rio Grande River into the U.S. near Roma, TX. Wilmer had been in CBP custody for 2 days when he declared, "When we were taken here, they gave me and my son each a churro and a bottle of water. We were put in a fenced -in cell just for men with kids. My son and I were patted down. After about six hours, we were taken to the other side of the building." Declaration of Wilmer Alexis A [REDACTED], Ex. 43 ¶ 3.

Wilmer Alexis A [REDACTED] was detained with his 8-year-old son at a CBP facility near McAllen, TX and declared that while there, "While we were on the processing side of the building, we were given no food of water." Declaration of Wilmer Alexis A [REDACTED], Ex. 43 ¶ 4.

Wilmer Alexis A [REDACTED] was detained with his 8-year-old son at a CBP facility near McAllen, TX and declared that while there, "On the detention side, we get three meals per day. I don't know what times the meals are. A meal consists of a lukewarm burrito, an apple, some cookies, and a bottle of water. We also have received juice (both fathers and sons). Between meals, I have been able to ask for water and cookies for my son." Declaration of Wilmer Alexis A [REDACTED], Ex. 43 ¶ 5.

Luis C [REDACTED], a citizen of Guatemala, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with his daughter, 3-year-old Flores Class Member Darolin A [REDACTED]. On December 6, 2017, Luis and his daughter presented themselves to Border Patrol agents after crossing the Rio Grande River into the United States near McAllen, TX. After 2 days in custody, Luis declared, "While we have been here, we have been receiving three meals per day, consisting of a burrito or a sandwich, chips, and an apple plus water. For the kids, we can request cookies and artificial "juice" between meals." Declaration of Luis C [REDACTED], Ex. 44 ¶ 4.

Veronica Y [REDACTED] was detained with her two class member children at a CBP facility near McAllen, TX and declared that while there, "Yesterday, for breakfast we were each given a burrito, an apple, a type of cookie called "nutrifruit" and milk. For lunch we were each given a burrito, an apple, water, and some chips. For dinner we were each given a sandwich consisting of a single slice of ham between slices of bread along with an apple, water, and chips. The sandwich seemed to have just been taken out of a freezer. Between meals we can request artificial juice and cookies." Declaration of Veronica Y [REDACTED], Ex. 45 ¶ 5.

Maria d [REDACTED], a citizen of El Salvador, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with her daughter, 1-year-old Flores Class Member Lesly S [REDACTED]. On December 6, 2017, Maria and her daughter were apprehended and taken into custody by Border Patrol agents after crossing the Rio

Grande River into the United States near McAllen, TX. After 2 days in CBP custody, Maria declared, "My daughter does not like the food here. I think that the food should be more targeted for children. Here they only give burritos and ham sandwiches but since my daughter won't eat that she eats mostly cookies and juice." Declaration of Maria d [REDACTED], Ex. 47 ¶ 4.

17-year-old Flores Class Member Irma T [REDACTED], a citizen of Guatemala, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX. On November 29, 2017, Irma was apprehended and taken into custody by Border Patrol agents after crossing into the U.S. near McAllen, TX. After 10 days in custody, Irma declared, "They fed us three times a day. It was always the same thing- Lay's, meat hamburger, apples, and bottles water. I didn't like it. In my country we don't that." Declaration of Irma T [REDACTED], Ex. 50 ¶ 2.

Class Member Irma T [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "Here they feed us Lay's, hamburgers, apples and water. The same for breakfast, lunch, dinner, in the morning and the afternoon. I eat when they tell me to. There are cookies and juice but I hardly eat them." Declaration of Irma T [REDACTED], Ex. 50 ¶ 6.

Cindy J [REDACTED], a citizen of Honduras, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with her son, 2-year-old Flores Class Member Axel S [REDACTED]. On December 7, 2017, Cindy and her son were apprehended and taken into custody by Border Patrol agents after crossing the Rio Grande River into the United States. After 1 day in custody, Cindy declared: "My son has eaten very little here. They only give us burritos and sandwiches and he does not like them. They woke us up in the middle of the night to call everyone's names." Declaration of Cindy J [REDACTED], Ex. 54 ¶ 4.

2. ACCESS TO CLEAN DRINKING WATER

Bessy L [REDACTED] was detained with her three class member children at a CBP facility near McAllen, TX and declared that while there, "We were not given clean water to drink. We had to drink water from the bathroom sink with our bare hands, which were dirty since we were not able to wash them after toileting because there was no soap." Declaration of Bessy L [REDACTED], Ex. 9 ¶ 5.

Mayra J [REDACTED] was detained with her 4-year-old son at a CBP facility near McAllen, TX and declared that while there, "The only water we had to drink was from the tap on the sink in the bathrooms. There were no cups to drink from, so we had to use our hands to drink. There was no soap for us to use to wash our hands, so we were drinking from our dirty hands. This was all very strange and uncomfortable for us." Declaration of Mayra J [REDACTED], Ex. 16 ¶ 13.

Damaris C [REDACTED] was detained with her two class member children at a CBP facility near McAllen, TX and declared that while there, "We drank water out of the sink and it tasted like it had chlorine." Declaration of Damaris C [REDACTED], Ex. 29 ¶ 3.

Francisca L [REDACTED] was detained with her 4-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "We drank water out of the sink." Declaration of Francisca L [REDACTED], Ex. 35 ¶ 2.

Flores Class Member Katherine G [REDACTED] is a 15-year-old Guatemalan national detained with her mother, Bessie Lorena Nunez Escobar, and two younger brothers, Luis F [REDACTED] (9-years-old) and Dixie V [REDACTED] (11-years-old), at the South Texas Family Residential Center in Dilley, TX. Katherine and her family were apprehended by Border Patrol Agents on November 14, 2017 near Calexico, CA (El Centro Sector) and transferred to ICE's San Diego District Staging facility on November 16, 2017 before arriving at Dilley the following day. They had been in DHS custody for 24 days when Katherine declared, "We were not given clean water to drink. We had to drink water from the bathroom sink with our bare hands, which were dirty since we were not able to wash them after toileting because there was no soap." Declaration of Katherine G [REDACTED], Ex. 20 ¶ 5.

Class Member Alma S [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "[at la hielera] I got a bottle of juice with each meal. That was all I had to eat and drink; I was hungry and thirsty. My mother had the same diet, except that she was given no water to drink with any meal, nor between meals. She has told me that she was extremely thirsty. When it was meal time. someone came into each cell and rudely gave us the food." Declaration of Alma S [REDACTED], Ex. 6 ¶ 6.

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, "In the first building where we were held, we were only given one small bottle water at mealtimes - three times a day." Declaration of Maria V [REDACTED], Ex. 36 ¶ 3.

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, "[At the second CBP facility] [w]e were only given water at mealtimes..." Declaration of Maria V [REDACTED], Ex. 36 ¶ 7.

Dorca V [REDACTED] was detained with her 16-year-old son at a CBP facility near McAllen, TX and declared that while there, "They gave us bottled water." Declaration of Dorca V [REDACTED], Ex. 31 § CBP ¶ 8.

Elsa E [REDACTED] was detained with her 17-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "We did get bottled water." Declaration of Elsa E [REDACTED], Ex. 33 § CBP ¶ 4.

Wendy W [REDACTED], a citizen of Honduras, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with her Flores Class Member sons, 10-year-old Hector Emmanuel Sanchez-Martinez and 4-year-old Josue Eduardo Antunez-Martinez. On December 6, 2017, Wendy and her sons presented themselves to Border Patrol agents after crossing into the United States and were immediately taken into custody. Wendy had been in custody for two days when she declared, "At one in the morning this morning, they took my younger son and I to another room. My older son is being held on the other side of the room from me; I can see him sometimes but not talk to him. My younger son and I have not been able to shower or brush our teeth, but my older son has. We have not been provided with clean clothing. We get bottled water with our meals. Between our meals, we are able to drink water from a big thermos, but it tastes like chlorine." Declaration of Wendy W [REDACTED], Ex. 40 ¶ 5.

Wilmer Alexis A [REDACTED] was detained with his 8-year-old son at a CBP facility near McAllen, TX and declared that while there, "While we were on the processing side of the building, we were given no food or water." Declaration of Wilmer Alexis A [REDACTED], Ex. 43 ¶ 4.

Wilmer Alexis A [REDACTED] was detained with his 8-year-old son at a CBP facility near McAllen, TX and declared that while there, "On the detention side, we get three meals per day. I don't know what times the meals are. A meal consists of a lukewarm burrito, an apple, some cookies, and a bottle of water. We also have received juice (both fathers and sons). Between meals, I have been able to ask for water and cookies for my son." Declaration of Wilmer Alexis A [REDACTED], Ex. 43 ¶ 5.

Veronica Y [REDACTED] was detained with her two class member children at a CBP facility near McAllen, TX and declared that while there, "The first day my sons and I arrived, we got here around 7:00 p.m. We were rather hungry and tired. They gave each of us a small bottle of artificial "juice" and a small packet of cookies. That was the only food and drink we got until the next day. That same night, another woman in my cell was thirsty, and she requested water. The guard told her to drink from the sink that was in our cell. The woman declined to drink that way. There were no cups or anything like that." Declaration of Veronica Y [REDACTED], Ex. 45 ¶ 4.

3. UNSANITARY CONDITIONS

Jozelia de Oliveira Rodriguez [REDACTED] was detained with her 1-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "After we went to the immigration authorities, they took us in a police vehicle, similar to a paddy wagon, to a facility that was damp, cold, and dirty. The toilet was inside the cell with us. No one could bathe. The smell was very bad. One woman had been there for four days with her one-year-old daughter, without being able to bathe. There were eight people in the cell with us, women and children from babies to a girl who was 16 years of age." Declaration of Jozelia de Oliveira Rodriguez [REDACTED], Ex. 18 ¶ 3.

Aurelia D [REDACTED] was detained with her 13-year-old son at a CBP facility near McAllen, TX and declared that while there, "Prior to arriving at the Dilley Center, we were detained at another facility for approximately three days where there were no hygiene products. There was no soap, no water for washing our hands or face, no toothbrushes or toothpaste." Declaration of Aurelia D [REDACTED], Ex. 8 ¶ 3.

Damaris C [REDACTED] was detained with her two class member children at a CBP facility near Phoenix, AZ and declared that while there, "We were not able to bath or wash ourselves. We were not given soap or toothpaste. We were not able to wash ourselves the whole time we were there. The toilet was in the cell and the short wall allowed everyone to see us use the bathroom and the smell was bad sometimes." Declaration of Damaris C [REDACTED], Ex. 29 ¶ 3.

Rigoberto L [REDACTED] was detained with his 4-year-old son at Berks County Family Residential Center in Berks, PA and declared that while there, "At both facilities, there was only one toilet for about eight people. There was no soap to wash our hands. There were showers but we were not given any soap or shampoo to shower." Declaration of Rigoberto L [REDACTED], Ex. 56 ¶ 10.

Bessy L [REDACTED] was detained with her three class member children at a CBP facility near San Diego and declared that while there, "Prior to arriving at the Dilley Center, we were detained at another facility for three days where there were no hygiene products. There was no soap to wash our hands, no toothbrushes or toothpaste. We went the whole time without washing or bathing. We had no clean clothes." Declaration of Bessy L [REDACTED], Ex. 9 ¶ 3.

Class Member Maybelline Estrada Posada was detained at a CBP facility near McAllen, TX and declared that while there, "[W]e were taken to a holding facility that is referred to [as] the *hielera* – the freezer, for about 6 hours. The conditions were very crowded and the sanitation system was not working well...". Declaration of Maybelline Estrada Posada, Ex. 24 ¶ 3. (detained 20 days)

Class Member Alma Suyapa Sanchez Ruiz was detained at a CBP facility near McAllen, TX and declared that while there, "When we first got to the perrera, we were finally given a chance to shower. When we showered, they gave us a change of clothes to wear for a few hours while they washed the clothes we had come in. After that shower, we had no access to running water (no soap, no toothpaste, no sink) for the rest of our time there. For when people had to go to the bathroom, there was a porta-potty accessible from each cage." Declaration of Alma Suyapa Sanchez Ruiz, Ex. 6 ¶ 9.

Bessy L [REDACTED] was detained with her three class member children at a CBP facility near McAllen, TX and declared that while there, "We were not given clean water to drink. We had to drink water from the bathroom sink with our bare hands, which were dirty since we were not able to wash them after toileting because there was no soap." Declaration of Bessy L [REDACTED], Ex. 9 ¶ 5.

Jozelia de Oliveira Rodriguez was detained with her 1-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "Because there were several babies, there were dirty diapers. We had to ask the officers for clean diapers. We had to throw the dirty diapers in the trashcan inside the cell, which made it smell even worse. I never saw them take the dirty diapers away the entire time I was there. The smell was intensely powerful." Declaration of Jozelia de Oliveira Rodriguez, Ex. 18 ¶ 4.

Jozelia de Oliveira Rodriguez was detained with her 1-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "There was no soap, no toothbrushes, no toothpaste. When someone went to the toilet, others could see that she was going to the bathroom." Declaration of Jozelia de Oliveira Rodriguez, Ex. 18 ¶ 9.

Ana B [REDACTED] and her 6 year old son were detained at a CBP facility near McAllen, TX and declared, "While my son and I were at la perrera, there were no sanitary facilities to use except a porta-potty which was in each cell. When we first got there, we were led to take a shower, and at that time they washed our clothes. (They gave us some clothes to wear for a few hours until our own clothes came back from the laundry.) In our cell, there was no place to wash and no soap, toothbrushes or toothpaste." Declaration of Ana B [REDACTED], Ex 7 ¶ 6.

Blanca E [REDACTED] and her three class member children were detained at a CBP facility near McAllen, TX and declared while there, "The first place we were in for a day was horrible... There were no private bathrooms. We were packed in a cell with at least

forty other women, plus their children.” Declaration of Blanca E [REDACTED], Ex. 10 ¶ 4.

Maria D [REDACTED] was detained with her 1-year-old son at a CBP facility near McAllen, TX and declared that while there, “[At la hielera t]here were no showers or any way to wash up. Everyone in the cell could see the toilet. There was no door. We tried to cover it with a garbage can, so there was no privacy to use the bathroom.” Declaration of Maria D [REDACTED], Ex. 22 ¶ 3.

“[W]e were taken to a different holding facility that is referred to as the dog pen-la perrera. We were held there for about a day... We were able to shower, but we were not provided with any toothbrushes or toothpaste.” Declaration of Iris A [REDACTED], Ex. 15 ¶ 4.

Class Member Ducesa B [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “There were no hygiene products available for us in this cell. There was no soap to wash our hands, no toothbrushes or toothpaste. There was a toilet in the cell, right there in the room with us. A short wall went up halfway, meaning we had no privacy when we used it. We were not allowed to shower while we were in the cell.” Declaration of Ducesa B [REDACTED], Ex. 13 ¶ 3.

Class Member Ducesa B [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “We were not allowed to shower until November 20. We had no clean clothes until the day we were allowed to shower, when they gave my mother and me a change of clothing and washed and returned the clothes we had been wearing.” Declaration of Ducesa B [REDACTED], Ex. 13 ¶ 6.

Luminita B [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, “There were no hygiene products available for us in this cell. There was no soap to wash our hands, no toothbrushes or toothpaste. There was a toilet in the cell, right there in the room with us. A short wall went up halfway, meaning we had no privacy when we used it. We were not allowed to shower while we were in the cell.” Declaration of Luminita B [REDACTED], Ex. 21 ¶ 3.

Luminita B [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, “We were not allowed to shower until November 20. We had no clean clothes until the day we were allowed to shower, when they gave my mother and me a change of clothing and washed and returned the clothes we had been wearing.” Declaration of Luminita B [REDACTED], Ex. 21 ¶ 6.

Luminita B [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, “The food was awful. It made both my daughter and me nauseated. I vomited repeatedly. I suffer from gastritis and told the guards that I had medication, but they would not let me access it. When I vomited in the waste basket in my cell, they would leave it there until midnight so that the cell smelled like vomit.” Declaration of Luminita B [REDACTED], Ex. 21 ¶ 7.

Luminita B [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, “They had us go to the bathroom in roofless portable toilets. There was only half a door, and if I stood up, everybody would be able to see me and I would be able to see them. There was no privacy. This is not good for us. There were men

around, and I never knew if they were watching as we used the toilet. I wanted a place to change my clothes, but there was no place I could do it. It was a humiliating experience." Declaration of Luminita B [REDACTED], Ex. 21 ¶ 11.

Dinora E [REDACTED] was detained with her 12-year-old daughter at a CBP facility near McAllen, TX and declared while there, "The second day we were there, we got to take a shower. At that time they lent each of us a change of clothes while they washed and dried our own clothes. The day that we were allowed to shower, we were able to brush our teeth. Apart from that we had no access to running water (no shower, no sink) and no toiletries of any kind for the whole time we were at the holding center." Declaration of Dinora E [REDACTED], Ex. 12 ¶¶ 12, 13.

Jessica N [REDACTED] and her 1-year-old daughter were detained at a CBP facility near McAllen, TX and declared while there, "I was able to take a shower one day, but some of the other women there said they had spent four or five days without bathing." Declaration of Jessica N [REDACTED], Ex. 17 ¶ 3.

Veronica M [REDACTED] was detained with her 1-year-old son at a CBP facility near McAllen, TX and declared while there, "We were not provided with any toothbrushes or toothpaste." Declaration of Veronica M [REDACTED], Ex. 26 ¶ 4.

Daili A [REDACTED] and her 4-year-old daughter were detained at a CBP facility near McAllen, TX and declared while there, "[At la hielera] [t]here were 4 or 5 toilets in the same room. There's no door. We were never given water, but rather told to drink from the toilet. We bathed twice, but we had to put our dirty clothes back on." Declaration of Daili A [REDACTED], Ex. 11 ¶ 5.

Mirna P [REDACTED] and her 7-year-old son were detained at a CBP facility near McAllen, TX and declared while there, "We were able to shower, but we were not provided with any toothbrushes or toothpaste." Declaration of Mirna P [REDACTED], Ex. 25 ¶ 4.

Yamisleidy E [REDACTED] is a citizen of Cuba and mother detained with her daughter, 3-year-old Flores Class Member, Anyeli M [REDACTED], at the South Texas Family Residential Center in Dilley, TX. On November 27, 2017 Yamisleidy and her daughter presented themselves to Border Patrol Agents at the port of entry in Laredo, TX (Laredo Sector) and were immediately taken into custody. They were then transferred to Dilley on November 28, 2017. They had been in DHS custody for 11 days when Yamisleidy declared, "There was no water, nowhere to wash." Declaration of Yamisleidy E [REDACTED], Ex. 27 ¶ 2.

Yamisleidy E [REDACTED] and her 3-year-old daughter were detained at a CBP facility near McAllen, TX and declared while there, "There was no bathroom there. The bathroom was outside and open and there was no privacy." Declaration of Yamisleidy E [REDACTED], Ex. 27 ¶ 3.

Class Member Giovanni D [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "Prior to arriving at the Dilley Center, we were detained at another facility for approximately three days where there were no hygiene products. There was no soap, no water for wasng our hands or face, no toothbrushes or toothpaste." Declaration of Giovanni D [REDACTED], Ex. 14 ¶ 3.

Class Member Katherine G [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "Prior to arriving at the Dilley Center, we were detained at another facility for three days ere there were no hygiene products. There was no soap to wash our hands, no toothbrushes or toothpaste. We went the whole time without washing or bathing. We had no clean clothes." Declaration of Katherine G [REDACTED], Ex. 20 ¶ 3.

Mayra J [REDACTED] was detained with her 4-year-old son at a CBP facility near McAllen, TX and declared that while there, "We were allowed to shower. I remember that the water was first extremely hot and then very, very cold. We were given a change of clothes and a snack of potato chips, juice, and an apple. We turned over our own clothes, which were laundered and returned to us the following day." Declaration of Mayra J [REDACTED], Ex. 16 ¶ 7.

Mayra J [REDACTED] was detained with her 4-year-old son at a CBP facility near McAllen, TX and declared that while there, "There were no toothbrushes and no toothpaste for us to use in the hielera. The toilet was an open-air toilet in the same room with us. There was a partial wall, but It didn't reach the floor and only went about waist-high when we stood, so there was very little privacy. Some of us had to hold up sheets while one of us used the toilet so that everybody else, including men in the hallway, couldn't see us as we used the toilet." Declaration of Mayra J [REDACTED], Ex. 16 ¶¶ 14, 15.

Flores Class Member Karla T [REDACTED] is a 15-year-old Guatemalan national detained with her mother and 5-year-old niece at the South Texas Family Residential Center in Dilley, TX. Karla and her family were apprehended by Border Patrol Agents on November 10, 2017 near McAllen, TX (Rio Grande Valley Sector) and booked in to Dilley on or about November 15, 2017. After 28 days in detention, Karla declared, "[t]hey took us to the hielera for two days... There was no soap, no toothpaste, and no toothbrushes." Declaration of Karla T [REDACTED], Ex. 19 ¶ 5.

"We weren't given clean clothes and we had no chance to bathe. We weren't given a toothbrush, toothpaste, or soap except to wash our hands in the bathroom. There was only one bathroom, and we often had to wait." Declaration of Maria V [REDACTED], Ex. 36 ¶ 5.

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, "We didn't get any hygiene items or clean clothes, and we didn't have the chance to take a shower." Declaration of Maria V [REDACTED], Ex. 36 ¶ 9.

Francisca L [REDACTED] was detained with her 4-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "For the whole 3 days we were not given soap or toothpaste or clean clothing. We were not able to bath or wash ourselves." Declaration of Francisca L [REDACTED], Ex. 35 ¶ 2.

Dorca V [REDACTED] was detained with her 16-year-old son at a CBP facility near McAllen, TX and declared that while there, "In the first room I was in, there was a toilet in the cell. There was only a short half wall. People could see you using the toilet. In the second area I was in, there were portable toilets. It was really dirty. They didn't clean it often and a lot of people were using it." Declaration of Dorca V [REDACTED], Ex. 31 ¶ 3.

Dorca V [REDACTED] was detained with her 16-year-old son at a CBP facility near McAllen, TX and declared that while there, "We were very wet and muddy from the river when we arrived. They did not let us change until Saturday. Then they let us shower, change and wash our clothes but until then we were wet and muddy... The only day we were allowed to shower was Saturday." Declaration of Dorca V [REDACTED], Ex. 31 ¶ 6.

Elsa E [REDACTED] was detained with her 17-year-old daughter at a CBP facility near McAllen, TX and declared that while there "We did not have the opportunity to shower a single time while we were at the port of entry. They did not give us toothbrushes and did not allow us to change or wash our clothes." Declaration of Elsa E [REDACTED], Ex. 33 § CBP ¶ 6.

Candida R [REDACTED] was detained with her 6-year-old son at a CBP facility near McAllen, TX and declared that while there, "I only showered once the whole time I was there. Neither of us got toothbrushes until Tuesday." Declaration of Candida R [REDACTED], Ex. 28 § CBP ¶ 7.

Class Member Dulce O [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "There was a toilet in the cell protected by only a small wall. I was very embarrassed." Declaration of Dulce O [REDACTED], Ex. 32 § CBP ¶ 1.

Class Member Dulce O [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "I was only able to shower one time in the 4 days I was there. That was also the only day I was able to brush my teeth." Declaration of Dulce O [REDACTED], Ex. 32 § CBP ¶ 4.

Dora S [REDACTED] was detained with her 8-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "I did not get a toothbrush and I did not have the opportunity to shower." Declaration of Dora S [REDACTED], Ex. 30 § CBP ¶ 4.

Dora S [REDACTED] was detained with her 8-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "There were portable toilets. My daughter and I didn't take a shower the whole time we were there. They lined us up in groups of ten to shower. When it was my turn, I was called to do an interview so I was not able to go in. They did not give us a toothbrush or a pillow. We only had the aluminum blanket." Declaration of Dora S [REDACTED], Ex. 30 § CBP ¶ 8.

Santos M [REDACTED] was detained with his two class member sons at a CBP facility near McAllen, TX and declared while there, "My sons have now showered once in the new area. They were given toothbrushes when they went to shower but it they had to throw it away and could not use it again. At home I make them brush their teeth three times a day. The immigration officials threw away the toothbrush that I brought, along with my toothpaste, comb, and shampoo. I have not been allowed to brush my teeth or shower since we entered the United States." Declaration of Santos M [REDACTED], Ex. 38 ¶ 8.

Gaspar M [REDACTED] was detained with his 14-year-old son at the Berks County Family Residential Center in Berks, PA and declared that while there, "At the El Paso facility, we were only provided access to the bathrooms during three scheduled periods per day. We

did not have access to showers until the last day before we were moved to Berks.” Declaration of Gaspar M [REDACTED], Ex. 57 ¶ 5.

Juan L [REDACTED], a citizen of Guatemala, is detained at the Berks County Family Residential Center in Berks, PA, with his son, 15-year-old Flores Class Member Nolberto L [REDACTED]. On or about November 27, 2017, Juan and his son presented themselves to Border Patrol agents at the border near El Paso, Texas (El Paso Sector) and were immediately taken into custody. Juan and his son were transferred to Berks 3 days later. After 25 days in custody, Juan declared, “We had access to bathrooms and sinks. We did not have access to showers until the last day we were there and were told we were being moved to another facility. At that time, we were allowed to shower before departing.” Declaration of Juan L [REDACTED], Ex. 58 ¶ 7.

Ignacio B [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA with his 5-year-old son and while there declared, “My son and I did not have access to a shower for three days until we were moved to the last CBP facility.” Declaration of Ignacio B [REDACTED], Ex. 59 ¶ 6.

Martin F [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 7-year-old daughter and declared while there, “We were not given access to shower until the very last day. I asked for toothpaste to brush me and my daughter’s teeth but it was not given to us.” Declaration of Martin Francisco-Miguel, Ex. 60 ¶ 9.

Martin F [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 7-year-old daughter and declared while there, “When my daughter needs to take a shower at BCRC, she showers alone after I go in and turn the water on for her, and a male staff waits outside the door for her to finish showering.” Declaration of Martin Francisco-Miguel, Ex. 60 ¶ 12.

Mario S [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 8-year-old Flores Class Member son and declared while there, “We were given water and a burrito in the morning, lunch, and dinner. We did not have access to a shower and there was one toilet for 16 people.” Declaration of Mario S [REDACTED], Ex. 61 ¶ 5.

Darinel L [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 1-year old son and while there declared, “The conditions were not good. There were 8 adults and all of our children in the same small locked room... The toilet was in the same room with all of us.” Declaration of Darinel L [REDACTED], Ex. 5 ¶ 5.

Wendy W [REDACTED] was detained with her two class member sons at a CBP facility near McAllen, TX and declared while there, “My younger son and I have not been able to shower or brush our teeth, but my older son has. We have not been provided with clean clothing.” Declaration of Wendy W [REDACTED], Ex. 40 ¶ 5.

“We arrived to the Rio Grande Valley Central Processing Center yesterday afternoon. We got wet from the river and we have not yet received clean clothes or the opportunity to take a shower.” Declaration of Lourdes M [REDACTED], Ex. 41 ¶ 3.

Wilmer Alexis A [REDACTED] was detained with his 8-year-old son at a CBP facility near McAllen, TX and declared that while there, "While we were on the processing side of the building, we were given no food or water. In our cell, there was a toilet behind a low wall which we could use." Declaration of Wilmer Alexis A [REDACTED], Ex. 43 ¶ 4.

Nimsy J [REDACTED], a citizen of Guatemala, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with her son, 2-year-old Flores Class Member Jose C [REDACTED]. On December 4, 2017, Nimsy and her son presented themselves to Border Patrol agents at the port of entry at Roma, TX. Nimsy had been in CBP custody for 4 days when she declared, "On Wednesday, December 6th we were transferred her to this processing center. We were put into a very cold cell with a lot of people. I had to use a toilet that was behind a short wall with no door. People could see me using the bathroom. I felt very uncomfortable. My son is still in diapers but there were a lot of other children there that I imagine felt very uncomfortable not having privacy when they used the bathroom." Declaration of Nimsy J [REDACTED], Ex. 48 ¶ 3.

Class Member Irma T [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "The day I arrived, they told us that it was our turn to shower. We went in a group and there were about 10 bathrooms. I could shower and brush my teeth. I could watch tv while waiting. That was the only time I showered." Declaration of Irma T [REDACTED], Ex. 50 ¶ 5.

Cindy J [REDACTED] was detained with her 2-year-old son at a CBP facility near McAllen, TX and declared while there, "We were put into a cell with a lot of other people where we spent one night. The toilet was only hidden by a short wall and had no door so people could see me using the bathroom. I was very embarrassed." Declaration of Cindy J [REDACTED], Ex. 54 ¶ 3.

Carlos C [REDACTED], a citizen of Guatemala, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with his daughter, 10-year-old Flores Class Member Miria C [REDACTED]. On December 6, 2017, Carlos and his daughter were apprehended and taken into custody by Border Patrol agents after crossing the Rio Grande River into the United States near McAllen, TX. After 2 days in custody, Carlos declared: "My daughter was allowed to shower once since we arrived but I have not been allowed to. They also gave my daughter a toothbrush but have not given me one." Declaration of Carlos C [REDACTED], Ex. 55 ¶ 5.

4. COLD TEMPERATURES

Class Member Alma S [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "[I]a hielera was extremely cold. Since we had crossed the Rio Grande on inner tubes our clothes were wet when we were taken into detention. We were not offered any dry clothes for the two days and two nights we were there; they just gave us each a space blanket, which barely helped at all." Declaration of Alma S [REDACTED], Ex. 6 ¶ 3.

Dinora E [REDACTED] was detained with her 12-year-old daughter at a CBP facility near McAllen, TX and declared while there, "[i]t was very cold in there. Everyone detained there complained about the temperature. We each got a space blanket, but that was not nearly sufficient. When we arrived, our clothes were wet, which made the

situation worse for us." Declaration of Dinora E [REDACTED], Ex. 12 ¶ 11.

Aurelia D [REDACTED] and her 13-year-old son were detained at a CBP facility near McAllen, TX and declared that while there, "[i]t was so cold that our teeth would hurt and our throats would hurt. We were given nothing but a plastic blanket to keep us warm. I asked the guards to please turn down the air conditioner, but they refused." Declaration of Aurelia D [REDACTED], Ex. 8 ¶ 5.

Mayra J [REDACTED] was detained with her 4-year-old son at a CBP facility near McAllen, TX and declared that while there, "It was very, very cold in this cell and many of the children were sick. Some had fevers, but they did not receive medical care... I asked them to turn down the temperature, but they refused." Declaration of Mayra J [REDACTED], Ex. 16 ¶ 9.

Rigoberto L [REDACTED] was detained with his 4-year-old son at Berks County Family Residential Center in Berks, PA and declared that while there "The temperature in both CBP facilities was very, very cold. My son was crying. I had to put a towel over him that I brought from Guatemala because he was so cold. My son said his body hurt from the cold. It was very hard to sleep with that temperature." Declaration of Rigoberto L [REDACTED], Ex. 56 ¶ 8.

Class Member Alma Suvapa Sanchez Ruiz was detained at a CBP facility near McAllen, TX and declared that while there, "it was very cold in the perrera. They gave us space blankets, but they were not sufficient to keep ourselves warm. In the perrera, I saw a number of small children who were having respiratory problems due to the cold air. They had colds and were coughing a lot." Declaration of Alma Suvapa Sanchez Ruiz, Ex. 6 ¶ 14.

Iris A [REDACTED] was detained with her 5-year-old son at a CBP facility near McAllen, TX and declared that while there, "[a]fter we were apprehended, we were taken to a holding cell, one of those places that we call a hielera, meaning "freezer," because it was so cold. The cold was unbearable. We were held in the hielera for about one and a half days." Declaration of Iris A [REDACTED], Ex. 15 ¶ 3.

Bessy L [REDACTED] was detained with her three class member children at a CBP facility near McAllen, TX and declared that while there, "[i]t was very cold and we had to sleep on the cement floor. We were given nothing to keep us warm except one aluminum blanket each, with no mats, and the immigration officials took my sweater when they put us in this cell. My children was so cold that I gave them my blanket to put on the floor underneath them to keep warm, with the other blankets on top of them. I remained awake and sitting up most of the night." Declaration of Bessy L [REDACTED], Ex. 9 ¶ 4.

Jozelia de Oliveira Rodriguez was detained with her 1-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "[t]he facility was so full that there were no mattresses or blankets for me or my daughter. I spent the night on a concrete bench sitting upright with my daughter in my arms. It was cold, very cold. It was cold all night. The light was always on. It was impossible for me to sleep. I might have dozed off, but barely." Declaration of Jozelia de Oliveira Rodriguez, Ex. 18 ¶¶ 6, 7.

Ana B [REDACTED] and her 6 year old son were detained at a CBP facility near McAllen, TX and declared while there, “[i]t was very cold in [la perrera], with concrete floors. We each got a foil ‘blanket’, which helped, but only a little... It was hard to sleep due to the cold... Many young children were coughing throughout the night because of the cold” Declaration of Ana B [REDACTED], Ex 7 ¶ 4.

Blanca E [REDACTED] and her three class member children were detained at a CBP facility near McAllen, TX and declared while there, “[t]he first place we were in for a day was horrible. It was very, very cold... There were no mats or blankets, although they gave us sweatshirts.” Declaration of Blanca E [REDACTED], Ex. 10 ¶ 4.

Iris A [REDACTED] was detained with her 5-year-old son at a CBP facility near McAllen, TX and declared that while there, “we were taken to a different holding facility that is referred to as the dog pen-la perrera. We were held there for about a day. It was also very cold there.” Declaration of Iris A [REDACTED], Ex. 15 ¶ 4.

Class Member Ducesa B [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “[i]t was very cold in this cell. We were each given a metallic blanket, but no mats. We had to sleep on the concrete floor.” Declaration of Ducesa B [REDACTED], Ex. 13 ¶ 4.

Luminita B [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, “It was very cold. We had no jackets, and only the clothing on our backs. They gave us just one little plastic blanket each.” Declaration of Luminita B [REDACTED], Ex. 21 ¶ 9.

Jessica N [REDACTED] and her 1-year-old daughter were detained at a CBP facility near McAllen, TX and declared while there, “[i]t was very cold the whole time I was there, day and night, and all we were given was a thin blanket, which was not enough to keep us warm. We needed jackets, but none of the other women I was with were allowed to bring in their belongings, including any warm clothing. There was a child with a fever in my room and the officials wouldn't let him have his coat from his mother's bag.” Declaration of Jessica N [REDACTED], Ex. 17 ¶ 3.

Veronica M [REDACTED] was detained with her 1-year-old son at a CBP facility near McAllen, TX and declared while there, “After we were apprehended, we were taken to a holding facility that is referred to as the hie/era-the freezer. It was unbearably cold, and we re held there for about 4 days.” Declaration of Veronica M [REDACTED], Ex. 26 ¶ 3.

Daili A [REDACTED] was detained with her 4-year-old daughter at a CBP facility near McAllen, TX and declared while there, “[la hielera] was a terrible place. It was very cold. I remember we were all so cold.” Declaration of Daili A [REDACTED], Ex. 11 ¶ 4.

Mirna P [REDACTED] and her 7-year-old son were detained at a CBP facility near McAllen, TX and declared while there, “After we were apprehended, we were taken to a holding facility that is referred to as the dog pen-la perrera. It was very cold there.” Declaration of Mirna P [REDACTED], Ex. 25 ¶ 3.

Jessica N [REDACTED] and her 1-year-old daughter were detained at a CBP facility near McAllen, TX and declared while there, “[a]fter about two days, I was taken to another facility. That facility was also very cold.” Declaration of Jessica N [REDACTED], Ex. 17 ¶ 5.

Class Member Ducesa B [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "[t]his second facility ... was very cold" Declaration of Ducesa B [REDACTED], Ex. 13 ¶ 8.

Yamisleidy E [REDACTED] and her 3-year-old daughter were detained at a CBP facility near McAllen, TX and declared while there, "It was very, very cold there. My daughter had a cough and I asked them to please turn the air conditioner down. Someone did, but then 20 minutes later, someone else turned it right back up." Declaration of Yamisleidy E [REDACTED], Ex. 27 ¶ 3.

Class Member Giovanni D [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "[i]t was so cold that our teeth would hurt and our throats would hurt. We were given nothing but a plastic blanket to keep us warm. My mother asked the guards to please turn down the air conditioner, but they refused." Declaration of Giovanni D [REDACTED], Ex. 14 ¶¶ 4, 5.

Class Member Katherine G [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "[i]t was very cold and we had to sleep on the cement floor. We were given nothing to keep us warm except one aluminum blanket." Declaration of Katherine G [REDACTED], Ex. 20 ¶ 4.

Mayra J [REDACTED] was detained with her 4-year-old son at a CBP facility near McAllen, TX and declared that while there, "We spent one and a half days in this hie / era. We had other clothes, but they had taken them away from us and only permitted us to wear one layer of clothing, a t-shirt. The cold was so bad that my son told me his bones were aching, and he became sick. I asked to be able to get the children's medication I had in my purse, but the immigration officers refused to give me access to it. I also asked for an extra cover to try to keep him warm, but they said they could not give me another one." Declaration of Mayra J [REDACTED], Ex. 16 ¶ 10.

Class Member Karla T [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "[t]hey took us to the hielera for two days. It was very cold. They gave us a metal blanket and made us sleep on the floor." Declaration of Karla T [REDACTED], Ex. 19 ¶ 5

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, "It was very cold in the building. We just had to put up with it. The officials had taken all of our extra clothes and belongings and some women said that the officials had taken their sweaters and left them with only a blouse in the cold room. Some of the officials told us that we would be sorry for coming to the United States when we looked cold." Declaration of Maria V [REDACTED], Ex. 36 ¶ 4.

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, "It was very cold at this facility as well." Declaration of Maria V [REDACTED], Ex. 36 ¶ 8.

Francisca L [REDACTED] was detained with her 4-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "It was very cold there and sometimes it would get even colder. They gave us aluminum sheets that helped a little but I was still cold." Declaration of Francisca L [REDACTED], Ex. 35 ¶ 2.

Francisca L [REDACTED] was detained with her 4-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "When we arrived here it was very cold but the officials took my sweater and my child's sweater from us leaving us very cold. We were given a blanket." Declaration of Francisca L [REDACTED], Ex. 35 ¶ 3.

Silvia S [REDACTED] was detained with her 10-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "The air conditioning was very cold in the CBP facility. We did not have any sweaters or jackets so everyone was very cold. My daughter was cold all of the time. She would never get warm. She would shiver from the cold because she did not have a jacket." Declaration of Silvia S [REDACTED], Ex. 39 ¶ 6.

Dorca V [REDACTED] was detained with her 16-year-old son at a CBP facility near McAllen, TX and declared that while there, "We were very wet and muddy from the river when we arrived. They did not let us change until Saturday. Then they let us shower, change and wash our clothes but until then we were wet and muddy. We were wet and it was very cold. There were children shivering. My son said there was a boy in his cell who passed out." Declaration of Dorca V [REDACTED], Ex. 31 § CBP ¶ 6.

Dora S [REDACTED] was detained with her 8-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "My daughter was extremely cold so I wore my wet sweater so I could try to dry it and put it over her. I was so cold that I felt like the cold was reaching my bones. They had the air conditioning on very high." Declaration of Dora S [REDACTED], Ex. 30 § CBP ¶ 4.

Santos M [REDACTED] was detained with his two class member sons at a CBP facility near McAllen, TX and declared while there, "We are very cold here, both in our original cell and in the new area that we are in. It is snowing outside but it does not feel like there is heat on. While I am separated from my sons, I am worried about them because of the cold. It is difficult to sleep because it feels even colder on the floor where we are sleeping." Declaration of Santos M [REDACTED], Ex. 38 ¶ 6.

Ignacio B [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA with his 5-year-old son and while there declared, "The CBP stations were very cold and my son often cried because of the cold. The last CBP station we went to did not have blankets to sleep with, just mattresses, so we were very cold." Declaration of Ignacio B [REDACTED], Ex. 59 ¶ 7.

Martin F [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 7-year-old daughter and declared while there, "They only have us one blanket to sleep with. We slept directly on the floor. My daughter was very cold as was I. My daughter got sick from being at the facility." Declaration of Martin Francisco-Miguel, Ex. 60 ¶ 7.

Mario S [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 8-year-old Flores Class Member son and declared while there, "The temperature in the facility was cool. The lights were controlled by the officers and was turned off at night ." Declaration of Mario S [REDACTED], Ex. 61 ¶ 6.

Miguel P [REDACTED], a citizen of Guatemala, is detained at the Berks County Family Residential Center in Berks, PA, with his son, 5-year-old Flores Class Member Heber

P [REDACTED]. Miguel and his son were taken into custody in early December, 2017 after they presented themselves to Border Patrol Agents at the U.S. port of entry at Juarez, Mexico (El Paso Sector). They then transferred Miguel and his son to Berks. While still at the Berks facility, Miguel declared: "After this my son and I came to Berks. My son really wants to leave because he is not used to being inside all the time and the place is strange to him. They give us food here three times a day. The bathrooms are clean. My son goes to school here. The temperature inside is not too hot or too cold. My only complaint is that everyone is sick here. They give us medicine for our colds." Declaration of Miguel P [REDACTED], Ex. 62 ¶ 6.

Wendy W [REDACTED] was detained with her two class member sons at a CBP facility near McAllen, TX and declared while there, "After that we were taken inside and given cookies, juice, and a metallic blanket. We sat in a cell for about five hours to wait. There were a lot of people in the cell that we were waiting in. It was difficult to find a place to sit with my four-year-old, and there were no mattresses. When someone would leave we would use their discarded aluminum blankets as a type of mattress to try to keep warm because we were very cold. I wish that we were able to keep all of our warm clothing for our children, because it's been so cold. I also wish that we had mattresses during this time, because it's very hard to sleep on the cement floor." Declaration of Wendy W [REDACTED], Ex. 40 ¶ 3.

Francisca L [REDACTED] was detained with her 4-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "We were apprehended by border control agents. They drove us in a cold car, asked us for documents, and took us to a border patrol station. It was a place that looked like a jail. It had cells. I told the officials that we wanted to go live with my husband who is in Florida. We were placed in a cell with many other people. There was no room for me to lie down. I had to wait for someone to leave to have room to lie down. I think we were there for 3 days but I am not sure because I could not see the sky. For the whole 3 days we were not given soap or toothpaste or clean clothing. We were not able to bath or wash ourselves. It was very cold there and sometimes it would get even colder. They gave us aluminum sheets that helped a little but I was still cold. For food we were given instant soup three times a day. The children got juice and one cookie. We drank water out of the sink. In the border patrol station they asked me why I came to this country and I stated that I had fear in Guatemala. After 3 days they gave us backpacks and we realized we were going somewhere though we were not told anything." Declaration of Francisca L [REDACTED], Ex. 35 ¶ 2.

Francisca L [REDACTED] was detained with her 4-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "We were taken to another border patrol station where we were permitted to shower. When we arrived here it was very cold but the officials took my sweater and my child's sweater from us leaving us very cold. We were given a blanket. They woke us up very early, I think 2:00 a.m. or 4:00 a.m., to shower and go to the airport." Declaration of Francisca L [REDACTED], Ex. 35 ¶ 3.

15-year-old Flores Class Member Denys A [REDACTED], a citizen of El Salvador, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, her mother. On December 6, 2017, Denys and her mother presented themselves to Border Patrol agents after crossing into the United States. After 2 days in custody, Denys declared, "After we were separated, I went to sleep. In the morning I was able to take a shower, brush my teeth and

get clean clothes. I also had breakfast. It is cold here.” Declaration of Denys A [REDACTED], Ex. 46 ¶ 6.

Maria d [REDACTED] was detained with her 1-year-old daughter at a CBP facility near McAllen, TX and declared that while there, “We were kept in a cell for two days without anything to sleep on so I had to hold my daughter while sleeping on the cement floor. I had to use a diaper as a pillow for her. It was very difficult for her to sleep. We only had aluminum blankets. It was also very cold. Sometimes they would wake us up while we were sleeping to call everyone's names. After two days, they brought us to a new area that had thin mats for us to sleep on.” Declaration of Maria d [REDACTED], Ex. 47 ¶ 3.

Nimsy J [REDACTED] was detained with her 2-year-old son at a CBP facility near McAllen, TX and declared that while there, “[w]e were put into a very cold cell with a lot of people.” Declaration of Nimsy J [REDACTED], Ex. 48 ¶ 3.

Dania D [REDACTED], a citizen of Guatemala, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with her son, 2-year-old Flores Class Member Josue J [REDACTED]. On December 7, 2017, Dania and her son were apprehended and taken into custody by Border Patrol agents after crossing the Rio Grande River into the United States. After 1 day in custody, Dania declared, “Last night, a lot of the people I was with complained that they could not sleep due to the cold. The aluminum blankets they give out here don't do much. Fortunately, my son and I were better off, since the guards let us bring in the poncho he was wearing outside and we used that as an extra blanket. I was also exhausted since I had spent the three previous nights with barely any sleep. It was very uncomfortable since we had to sleep on a bare concrete floor.” Declaration of Dania D [REDACTED], Ex. 49 ¶ 5.

Class Member Irma T [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “On Tuesday, December 5th, 2017, they took all of us to another center. There were no mattresses. Only aluminum blankets. It was cold and concrete. I was there for 2 hours. They called me in for questions. I told them I speak Kiche and they asked if I speak Spanish. I said yes and they said that they'll speak to me in Spanish. An older man asked me questions. He didn't believe me when I told him I was 17. He said I had 18 or 19 years. After a while, I think he believed me because he let me go with the other children.” Declaration of Irma T [REDACTED], Ex. 50 ¶ 3.

Juliana M [REDACTED], a citizen of Guatemala, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with her two Flores Class Member daughters, 6-year-old Elisa P [REDACTED] and 5-year-old Yasmin P [REDACTED]. On December 6, 2017, Juliana and her daughters were apprehended and taken into custody by Border Patrol agents after entering into the United States. After 2 days in custody, Juliana declared: “It is difficult for my daughters to be here because they are closed up and they do not like the food. We also can't sleep well here. We have to sleep on thin mattresses on a cement floor. It is always cold. The lights are always on. Sometimes they wake us up when we are sleeping to ask us questions or do paperwork.” Declaration of Juliana M [REDACTED], Ex. 51 ¶ 4.

Carlos C [REDACTED] was detained with her 10-year-old daughter at a CBP facility near McAllen, TX and declared that while there, “It is difficult for us to sleep because it is so cold.

The lights are on all night. I do not know whether it is day or night because there are no windows. They have not given us pillows.” Declaration of Carlos C [REDACTED], Ex. 55 ¶ 4.

5. SLEEPING CONDITIONS

Class Member Maybelline Estrada Posada [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “At la perrera... I could not sleep in part because a woman official kept screaming at detainees. The fact that the lights were kept on for 24- hours a day also made it impossible to sleep.” Declaration of Maybelline Estrada Posada [REDACTED], Ex. 24 ¶ 4.

Class Member Alma Suyapa Sanchez Ruiz [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “[i]t was extremely difficult to sleep [at la hielera]. Everyone had to sleep on the floor, which was made of cement and was both hard and cold. They kept the lights on full strength all night long.” Declaration of Alma Suyapa Sanchez Ruiz [REDACTED], Ex. 6 ¶ 6.

Jozelia de Oliveira Rodriguez [REDACTED] was detained with her 1-year-old daughter at a CBP facility near McAllen, TX and declared that while there, “[t]he facility was so full that there were no mattresses or blankets for me or my daughter. I spent the night on a concrete bench sitting upright with my daughter in my arms. It was cold, very cold. It was cold all night. The light was always on. It was impossible for me to sleep. I might have dozed off, but barely.” Declaration of Jozelia de Oliveira Rodriguez [REDACTED], Ex. 18 ¶¶ 6, 7.

Class Member Ducesa B [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “[i]t was very cold in this cell. We were each given a metallic blanket, but no mats. We had to sleep on the concrete floor. There were many of us in a very small space. I can't count how many there were. We were all sitting right next to each other, touching shoulder to shoulder.” Declaration of Ducesa B [REDACTED], Ex. 13 ¶ 4.

Silvia S [REDACTED] was detained with her 10-year-old daughter at a CBP facility near McAllen, TX and declared that while there, “Every night at 11 pm and 3 am we were woken up and required to get out of bed. They called everyone's name to confirm everyone was still there. They took pictures of us one time in the middle of the night. If one of the adults did not get up or wake up her children, an immigration official would kick her and yell at her so that she would have to wake up her children. I saw one woman trying to hold all four of her children who were crying from having been woken up.” Declaration of Silvia S [REDACTED], Ex. 39 ¶ 4.

Bessy L [REDACTED] was detained with her three class member children at a CBP facility near McAllen, TX and declared that while there, “[i]t was very cold and we had to sleep on the cement floor. We were given nothing to keep us warm except one aluminum blanket each, with no mats, and the immigration officials took my sweater when they put us in this cell. My children was so cold that I gave them my blanket to put on the floor underneath them to keep warm, with the other blankets on top of them. I remained awake and sitting up most of the night.” Declaration of Bessy L [REDACTED], Ex. 9 ¶ 4.

Ana B [REDACTED] and her 6 year old son were detained at a CBP facility near McAllen, TX and declared while there, “[w]e were kept in a fenced-in space with about ten other families. (My area was just for mothers with young kids.) It was very cold in there, with concrete floors. We each got a foil “blanket”, which helped, but only a little. For sleeping, each of us got a thin mattress, which we would put on the floor. It was hard to

sleep due to the cold, the fact that they kept the lights shining full strength all night, and the noise. Many young children were coughing throughout the night because of the cold.” Declaration of Ana B [REDACTED], Ex 7 ¶ 4.

Blanca E [REDACTED] and her three class member children were detained at a CBP facility near McAllen, TX and declared while there, “[t]he first place we were in for a day was horrible. It was very, very cold. ... We were packed in a cell with at least forty other women, plus their children. There were two benches; whoever was there first got a seat. My son had to sleep by the garbage can. There were no mats or blankets, although they gave us sweatshirts.” Declaration of Blanca E [REDACTED], Ex. 10 ¶ 4.

Maria D [REDACTED] was detained with her 1-year-old son at a CBP facility near McAllen, TX and declared that while there, “At La Pererra, they frequently made us line up by our countries of origin, and I had to wake my child up to line up. I also saw officials kicking mattresses or pulling plastic blankets off of people to wake them.” Declaration of Maria D [REDACTED], Ex. 22 ¶ 4.

Iris A [REDACTED] was detained with her 5-year-old son at a CBP facility near McAllen, TX and declared that while there, “[t]he lights were left on night and day, making it difficult to sleep.” Declaration of Iris A [REDACTED], Ex. 15 ¶ 5.

Class Member Ducesa B [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “[t]he lights were always on and we did not know what time it was. I could not sleep.” Declaration of Ducesa B [REDACTED], Ex. 13 ¶ 8.

Luminita B [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, “It was very cold in this cell. We were each given a metallic blanket, but no mats. We had to sleep on the concrete floor.” Declaration of Luminita B [REDACTED], Ex. 21 ¶ 4.

Luminita B [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, “The light was always on in the cell. We did not know whether it was night or day. We did not know what time it was. The only way we could find out was if a guard told us.” Declaration of Luminita B [REDACTED], Ex. 21 ¶ 10.

Veronica M [REDACTED] was detained with her 1-year-old son at a CBP facility near McAllen, TX and declared while there, “The lights were left on night and day, making it difficult to sleep.” Declaration of Veronica M [REDACTED], Ex. 26 ¶ 5.

Maria F [REDACTED] was detained with her 4-year-old daughter at a CBP facility near McAllen, TX and declared while there, “We arrived to 3:30 am. We were put in a cell. Gave us a mat and an aluminum blanket to put on the floor. At 6:00, they came in and kicked us to wake up. They grabbed the blanket. They put some food on the floor, some bread, water and an apple. They talked to us harshly. They wanted to confirm where we were from.” Declaration of Maria F [REDACTED], Ex. 23 ¶ 5.

Daili A [REDACTED] was detained with her 4-year-old daughter at a CBP facility near McAllen, TX and declared while there, “[w]e slept on the floor in a room with about 15 people. We had a mat and an aluminum blanket. It was very cold.” Declaration of Daili A [REDACTED], Ex. 11 ¶ 5.

Mirna P [REDACTED] and her 7-year-old son were detained at a CBP facility near McAllen, TX and declared while there, "The lights were left on night and day, making it difficult to sleep." Declaration of Mirna P [REDACTED], Ex. 25 ¶ 5.

Aurelia D [REDACTED] and her 13-year-old son were detained at a CBP facility near McAllen, TX and declared that while there, "[t]hey left the lights on all day and night. We lost track of day and night. We did not see sunlight for days and could not sleep." Declaration of Aurelia D [REDACTED], Ex. 8 ¶ 6.

Class Member Giovanni D [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "[t]hey left the lights on all day and night. We lost track of day and night. We did not see sunlight for days and could not sleep." Declaration of Giovanni D [REDACTED], Ex. 14 ¶ 6.

Mayra J [REDACTED] was detained with her 4-year-old son at a CBP facility near McAllen, TX and declared that while there, "It was so crowded that some of us had to sleep partially in the toilet stall." Declaration of Mayra J [REDACTED], Ex. 16 ¶ 8.

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, "The lights were on in the building all night. The room was very full so it was hard to find a place to lie down and the room smelled very bad." Declaration of Maria V [REDACTED], Ex. 36 ¶ 5.

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, "It was very cold at this facility as well. We slept on thin mattresses on the floor and we didn't get any pillows. The lights were often on. The room was very full so it was hard to find a place to sleep." Declaration of Maria V [REDACTED], Ex. 36 ¶ 8.

Damaris C [REDACTED] was detained with her two class member children at a CBP facility near McAllen, TX and declared that while there, "There were mattresses but I had to share three mattresses with four other women and their four children. We received an aluminum paper for a blanket." Declaration of Damaris C [REDACTED], Ex. 29 ¶ 2.

Silvia S [REDACTED] was detained with her 10-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "The lights are left on all night. You could not tell if it was day or night. We were not given pillows." Declaration of Silvia S [REDACTED], Ex. 39 ¶ 5.

Dorca V [REDACTED] was detained with her 16-year-old son at a CBP facility near McAllen, TX and declared that while there, "The cell was also very cold and they kept the lights on so we could not tell if it was day or night." Declaration of Dorca V [REDACTED], Ex. 31 ¶ 2.

Elsa E [REDACTED] was detained with her 17-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "We could barely sleep. There were so many people in the facility and the children were crying (one child only ate by bottle and was crying because he did not have a bottle). There were six families in a very small room. When everyone lay down we were right next to each other. We were not allowed to turn the lights off ourselves. If we tried to the immigration officials would get angry. The

immigration officials turned off the lights really late." Declaration of Elsa E [REDACTED], Ex. 33 § CBP ¶ 5.

Candida R [REDACTED] was detained with her 6-year-old son at a CBP facility near McAllen, TX and declared that while there, "I never saw the sunlight so I lost track of day and night. My room had a window into the room the immigration officials were using to interview people, which they did day and night. We did not get pillows. We didn't get much sleep." Declaration of Candida R [REDACTED], Ex. 28 § CBP ¶ 6.

Class Member Dulce O [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "They did not give me a pillow and only gave me an aluminum blanket. The lights were always on. They would wake us up at 3 am to see if anyone had escaped, even though I don't know how anyone could escape. The doors can only be opened with a card that the employees have. If you didn't get up, they would pull the blanket off us with our feet, yell at us and call us lazy even though it was the middle of the night." Declaration of Dulce O [REDACTED], Ex. 32 § CBP ¶ 4.

Dora S [REDACTED] was detained with her 8-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "There were so many people in the cell in the ice box that we had to take turns lying down. They didn't give us a mattress or pillow, they only gave each of us one aluminum blanket. I couldn't sleep because I was so cold because the air conditioning was very high and blowing on me. They never turned off the lights. The immigration officials would come in the middle of the night to check who was there. If I didn't get up, they would bang on the wall and yell at me. My daughter would wake up and be scared because of all the yelling." Declaration of Dora S [REDACTED], Ex. 30 § CBP ¶ 3.

Dora S [REDACTED] was detained with her 8-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "On Friday, they took me to a different part of the same facility that is called the dog pound. There was no sunlight there. They never turned off the lights. It was like a bunch of cells all next to each other. The immigration officials would also wake us up in the middle of the night to see if we were there. If you didn't wake up, they would kick or shake the mattress." Declaration of Dora S [REDACTED], Ex. 30 § CBP ¶ 5.

Santos M [REDACTED] was detained with his two class member sons at a CBP facility near McAllen, TX and declared while there, "We spent two nights in these cells, without pillows or anything to sleep on. I tried to sleep on the cement floor with only an aluminum blanket but I barely slept because it was so uncomfortable because I was so worried about my sons. I don't think my sons slept at all." Declaration of Santos M [REDACTED], Ex. 38 ¶ 4.

Rigoberto L [REDACTED] was detained with his 4-year-old son at Berks County Family Residential Center in Berks, PA and declared that while there "The temperature in both CBP facilities was very, very cold. My son was crying. I had to put a towel over him that I brought from Guatemala because he was so cold. My son said his body hurt from the cold. It was very hard to sleep with that temperature." Declaration of Rigoberto L [REDACTED], Ex. 56 ¶ 8.

Rigoberto L [REDACTED] was detained with his 4-year-old son at Berks County Family Residential Center in Berks, PA and declared that while there "The CBP facilities were overcrowded. We had to share a blanket and it was very uncomfortable to sleep." Declaration of Rigoberto L [REDACTED], Ex. 56 ¶ 9.

Gaspar M [REDACTED] was detained with his 14-year-old son at the Berks County Family Residential Center in Berks, PA and declared that while there, "My son and I were together during our stay in El Paso. We slept in thin mattress pads on the ground next to each other. The lights were kept on during the night making it difficult to sleep." Declaration of Gaspar M [REDACTED], Ex. 57 ¶ 3.

Juan L [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 15-year-old son and declared while there, "We slept on thin mattress pads on the floor. We were provided sheets and blankets. We were allowed to sleep next to each other and were not separated during our stay. The room we stayed felt overcrowded when there were approximately 15 people in there." Declaration of Juan L [REDACTED], Ex. 58 ¶ 6.

Ignacio B [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA with his 5-year-old son and while there declared, "The CBP stations were very cold and my son often cried because of the cold. The last CBP station we went to did not have blankets to sleep with, just mattresses, so we were very cold." Declaration of Ignacio B [REDACTED], Ex. 59 ¶ 7.

Martin F [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 7-year-old daughter and declared while there, "They only have us one blanket to sleep with. We slept directly on the floor. My daughter was very cold as was I. My daughter got sick from being at the facility." Declaration of Martin Francisco-Miguel, Ex. 60 ¶ 7.

Darinel L [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 1-year old son and while there declared, "The conditions were not good. There were 8 adults and all of our children in the same small locked room. There was not enough room even to sleep. I asked for two blankets so that I could put one on the floor for my son to sleep on and one to cover him. The toilet was in the same room with all of us." Declaration of Darinel L [REDACTED], Ex. 5 ¶ 5.

Wilmer Alexis A [REDACTED] was detained with his 8-year-old son at a CBP facility near McAllen, TX and declared that while there, "It is difficult to sleep here. They keep the lights on all night. There are some benches in my cell, but we all sleep on the floor, on mattresses that they give us." Declaration of Wilmer Alexis A [REDACTED], Ex. 43 ¶ 7.

Maria d [REDACTED] was detained with her 1-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "We were kept in a cell for two days without anything to sleep on so I had to hold my daughter while sleeping on the cement floor. I had to use a diaper as a pillow for her. It was very difficult for her to sleep. We only had aluminum blankets. It was also very cold. Sometimes they would wake us up while we were sleeping to call everyone's names. After two days, they brought us to a new area that had thin mats for us to sleep on." Declaration of Maria d [REDACTED], Ex. 47 ¶ 3.

Nimsy J [REDACTED] was detained with her 2-year-old son at a CBP facility near McAllen, TX and declared that while there, "On Monday, December 4th at 8 at night, my son and I presented ourselves at the Miguel Aleman bridge to seek asylum. We spent two nights there. It was difficult to sleep because it was so hot. My son would cry at night because he didn't want to sleep because it was so hot. They did not give us toothbrushes or pillows." Declaration of Nimsy J [REDACTED], Ex. 48 ¶ 2.

Nimsy J [REDACTED] was detained with her 2-year-old son at a CBP facility near McAllen, TX and declared that while there, "After 4 hours, we were transferred to another room where we were given thin mats to sleep on the cement floor. It is difficult to sleep and my back hurts from sleeping on the floor. The fact that the lights are on all night also makes it difficult to sleep." Declaration of Nimsy J [REDACTED], Ex. 48 ¶ 3.

Dania D [REDACTED] and her 2-year-old son were detained at a CBP facility near McAllen, TX and declared while there, "Last night, a lot of the people I was with complained that they could not sleep due to the cold. The aluminum blankets they give out here don't do much. Fortunately, my son and I were better off, since the guards let us bring in the poncho he was wearing outside and we used that as an extra blanket. I was also exhausted since I had spent the three previous nights with barely any sleep. It was very uncomfortable since we had to sleep on a bare concrete floor." Declaration of Dania D [REDACTED], Ex. 49 ¶ 5.

Class Member Irma T [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "They give us a sheet and small mattress in the night. No pillow. I can sleep." Declaration of Irma T [REDACTED], Ex. 50 ¶ 7.

Juliana M [REDACTED] was detained with her two class member daughters at a CBP facility near McAllen, TX and declared while there, "It is difficult for my daughters to be here because they are closed up and they do not like the food. We also can't sleep well here. We have to sleep on thin mattresses on a cement floor. It is always cold. The lights are always on. Sometimes they wake us up when we are sleeping to ask us questions or do paperwork." Declaration of Juliana M [REDACTED], Ex. 51 ¶ 4.

Cindy J [REDACTED] was detained with her 2-year-old son at a CBP facility near McAllen, TX and declared while there, "At 4 or 5 in the morning, they brought us into an area that had thin mats for us to sleep on." Declaration of Cindy J [REDACTED], Ex. 54 ¶ 5.

Carlos C [REDACTED] was detained with her 10-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "It is difficult for us to sleep because it is so cold. The lights are on all night. I do not know whether it is day or night because there are no windows. They have not given us pillows." Declaration of Carlos C [REDACTED], Ex. 55 ¶ 4.

B. FAILURE TO PROVIDE ADVISALS

NOT ADVISED OF FLORES RIGHTS

CBP

Class Member Katya J [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "Since arriving at this facility, no one has given me information about my rights as a *Flores* class member. I have not received a list of attorneys. I have not had the opportunity to call an attorney or to call any family members. My father was not able to speak with a family member. But he had a phone call with an official who told him that his next step was to talk to a judge. He was not able to speak to an attorney before or after this call. We would like to be able to call our family members because we don't know if they know that we have arrived and we would like them to be able to buy us tickets to go stay with them. We have not been able to tell anyone that we are afraid to return to our country. We want to be able to tell our story because we are afraid to return" Declaration of Katya J [REDACTED], Ex. 42 ¶ 6.

Class Member Alma S [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "[at la hielera] [m]y mother and I were told nothing about any rights that we had. I did not see any written notice of our rights, and my mother tells me that she did not see any written notice either." Declaration of Alma S [REDACTED], Ex. 6 ¶ 8.

Blanca E [REDACTED] and her three class member children were detained at a CBP facility near McAllen, TX and declared while there, "[d]uring both days, nobody gave us any explanation of any rights whatsoever. Nor could I make a call." Declaration of Blanca E [REDACTED], Ex. 10 ¶ 5.

Jessica N [REDACTED] and her 1-year-old daughter were detained at a CBP facility near McAllen, TX and declared while there, "[a]t the Customs and Border Protection facility, I wasn't provided any information about my legal rights or those of my child, any list of attorneys we could contact for legal advice, or any opportunity to use the telephone." Declaration of Jessica N [REDACTED], Ex. 17 ¶ 4.

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, "We did not receive any information about our rights or my child's rights; there were no lists of free attorneys posted; and I was not able to make any calls to an attorney." Declaration of Maria V [REDACTED], Ex. 36 ¶ 6.

Ana B [REDACTED] and her 6 year old son were detained at a CBP facility near McAllen, TX and declared while there, "[a]t the perrera, no one told us about any rights we had. I don't remember seeing any written advisals of rights either. No one gave us any written information about rights." Declaration of Ana B [REDACTED], Ex 7 ¶ 3.

Daili A [REDACTED] was detained with her 4-year-old daughter at a CBP facility near McAllen, TX and declared while there, "[t]hey asked me why I came and where my daughter's father was, but that is it. They didn't explain anything or ask me about being

afraid. They never said anything to me about having any kind of rights. I was only able to call my relatives once to ask their address.” Declaration of Daili A [REDACTED], Ex. 11 ¶ 7.

Francis M [REDACTED] was detained with her 6-year-old son at a CBP facility near McAllen, TX and declared while there, “My son and I were picked up by border patrol on December 1, 2017. We were taken to a station and put into a cell. We were in the cell for three days. I was not given any information about my rights or my son's rights; I was not given a list of pro bona attorneys. I didn't have the opportunity to speak with an attorney in person or by phone.” Declaration of Francis M [REDACTED], Ex. 34 ¶ 2.

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, “At that building, I was not given any notice of my rights or my child's rights.” Declaration of Maria V [REDACTED], Ex. 36 ¶ 2.

Damaris C [REDACTED] was detained with her two class member children at a CBP facility near McAllen, TX and declared that while there, “We were not advised of our rights or our rights under Flores. We did not receive a list of attorneys.” Declaration of Damaris C [REDACTED], Ex. 29 ¶ 3.

Rigoberto L [REDACTED] was detained with his 4-year-old son at Berks County Family Residential Center in Berks, PA and declared that while there, “I believe we were given notice of our rights, a list of lawyers, and information about immigration hearings, but it was all written in Spanish. My first language is K'iche and I cannot read Spanish well. It was very difficult to communicate with the CBP officers in Spanish.” Declaration of Rigoberto L [REDACTED], Ex. 56 ¶ 4.

Rigoberto L [REDACTED] was detained with his 4-year-old son at Berks County Family Residential Center in Berks, PA and declared that while there, “No one at BCRC ever explained to us how to find a lawyer.” Declaration of Rigoberto L [REDACTED], Ex. 56 ¶ 13.

Gaspar M [REDACTED] was detained with his 14-year-old son at the Berks County Family Residential Center in Berks, PA and declared that while there, “I do not know if I was provided written notice of rights for my son because I cannot read well. Officials at the center did not verbally tell me about his rights in a language I could understand. I was not told anything about immigration hearings or bonds. I did not express a fear of return to the official who interviewed me at the facility.” Declaration of Gaspar M [REDACTED], Ex. 57 ¶ 4.

Juan L [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 15-year-old son and declared while there, “At the El Paso facility, I was provided a set of papers in both English and Spanish. My son was not provided that same papers. I am not sure what the papers said. I speak some Spanish but do not read well. No official explained what the documents said to me in Spanish. I was not provided written information in my indigenous language. I am not sure if I was provided documents regarding my son's legal rights or any information about the bond or court process because I could not read the documents.” Declaration of Juan L [REDACTED], Ex. 58 ¶ 4.

Ignacio B [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA with his 5-year-old son and while there declared, “My son was never given any information about his rights in detention or rights to a hearing and neither was I. We were

not given a list of lawyers we could call and did not have any phone access." Declaration of Ignacio B [REDACTED], Ex. 59 ¶ 3.

Martin F [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 7-year-old daughter and declared while there, "We spent six days at the CBP station. We were never given any notice of our legal rights or received any paperwork. I had to sign papers I did not understand because I cannot read Spanish well. No one in the CBP station spoke to me in Akateco." Declaration of Martin Francisco-Miguel, Ex. 60 ¶ 3.

Wilmer Alexis A [REDACTED] was detained with his 8-year-old son at a CBP facility near McAllen, TX and declared that while there, "No one here has asked me so far why my son and I came to the United States. I have not been advised of our rights. They have told me that my son and I will have court in Florida (our destination) on December 19." Declaration of Wilmer Alexis A [REDACTED], Ex. 43 ¶ 8.

Luis C [REDACTED] was detained with his 3-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "In my time here, no one has explained to me the rights that my daughter or I have as detainees. I was told that I could talk to the Guatemalan consulate, but I have not done so." Declaration of Luis C [REDACTED], Ex. 44 ¶ 6.

Class Member Denys A [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "After the medical exam, we were taken back to the first office. We waited there until we got our photos and finger prints taken. We signed some papers that were in English. I'm not sure what they said and they weren't explained to us. I also signed some papers in Spanish that explained that I would have a court date in the next year or so to see whether I can stay in this country." Declaration of Denys A [REDACTED], Ex. 46 ¶ 3.

Class Member Denys A [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "I have not received any information about my rights or about attorneys that I could contact. I have not been able to make a phone call to my family. My mother and I are hoping to live with my aunt in Houston. No one has told me why we are waiting here or what's going to happen next." Declaration of Denys A [REDACTED], Ex. 46 ¶ 7.

Dania D [REDACTED] and her 2-year-old son were detained at a CBP facility near McAllen, TX and declared while there, "No one here has so far explained to me my rights, or what to expect in the case of me and my son, or where we will go next. I have not received any written information." Declaration of Dania D [REDACTED], Ex. 49 ¶ 7.

Class Member Irma T [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "It was only on Wednesday that the consulate explained our rights, that we're going to leave from here and go to the Home House ("la casa de hogar") and there we can play ball, do everything we want, go to school, it's not like here and that I was able to call my dad. They gave us a paper. No one else has given me anything and no one has spoken to me in Kiche since I have arrived." Declaration of Irma T [REDACTED], Ex. 50 ¶ 9.

Fatima Y [REDACTED], a citizen of El Salvador, was detained at the Rio Grande Valley Central Processing Center on Ursula Road in McAllen, TX, with her daughter, Flores Class Member Amy Y [REDACTED]. On December 6, 2017, Fatima and her daughter crossed into the United States presented themselves to Border Patrol agents, who immediately took them into custody. After 2 days in custody, Fatima declared: "The same day we arrived here, I was interviewed by a video link asking some information about me, and asking why I had come. I told them that I was being threatened in El Salvador and I was fearful for myself and my daughter. He told me that we would be protected. Apart from that, I have not received any information about what to expect or what will happen to me and my daughter." Declaration of Fatima Y [REDACTED], Ex. 53 ¶ 3.

Cindy J [REDACTED] was detained with her 2-year-old son at a CBP facility near McAllen, TX and declared while there, "We have not been given a phone call since I arrived. We have not been provided any written information, including about free legal services, my children's legal rights at this facility, or my children's right to a bond hearing." Declaration of Cindy J [REDACTED], Ex. 54 ¶ 6.

ICE

Blanca E [REDACTED] and her three class member children were detained at a CBP facility near McAllen, TX and declared while there, "I never heard that my kids could have left before me. I wish that someone had because I would have let them go to my family here." Declaration of Blanca E [REDACTED], Ex. 10 ¶ 10.

Iris A [REDACTED] was detained with her 5-year-old son at a CBP facility near McAllen, TX and declared that while there, "I have been in detention since November 6. At no time has anyone asked me whether I would like my son to be released to a relative or friend in the United States. I have not been informed that that is an option." Declaration of Iris A [REDACTED], Ex. 15 ¶ 7.

Class Member Karla T [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, "[w]e have been at the Dilley detention center for 23 days. At no point have we been provided a list of legal rights or service providers. We have not been given an interview with an attorney, asked to appear before a judge, or met with an ICE official for an interview." Declaration of Karla T [REDACTED], Ex. 19 ¶ 8.

Mirna P [REDACTED] and her 7-year-old son were detained at a CBP facility near McAllen, TX and declared while there, "I have been in detention since November 5. At no time has anyone asked me whether I would like my son to be released to a relative or friend in the United States. I have not been informed that that is an option." Declaration of Mirna P [REDACTED], Ex. 25 ¶ 7.

Gaspar M [REDACTED] was detained with his 14-year-old son at the Berks County Family Residential Center in Berks, PA and declared that while there, "I do not recall being told my son could be released to a family member. I do not want my son released without me at this time. We are waiting to speak with an attorney about our options." Declaration of Gaspar M [REDACTED], Ex. 57 ¶ 10.

Ignacio B [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA with his 5-year-old son and while there declared, "I don't think I was given a list

of lawyers to call. No one explained to me how to find a lawyer.” Declaration of Ignacio B [REDACTED], Ex. 59 ¶ 10.

Mario S [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 8-year-old Flores Class Member son and declared while there, “I was given paperwork here but I do not know what the paper says because I do not know how to read in English or Spanish. No one has explained what the documents mean. I have spoken to a lawyer’s assistant but I have not had my interview with the immigration officer yet to tell them what happened to me.” Declaration of Mario S [REDACTED], Ex. 61 ¶ 9.

Miguel P [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 5-year-old Flores Class Member son. While there Miguel declared, “While at Berks, someone gave me papers. They did not explain to me in Spanish or Akateko what these papers were. I cannot read and, so I do not know what the papers said. I put the papers in my jacket. Once day when I came back from taking a shower the papers were gone.” Declaration of Miguel P [REDACTED], Ex. 62 ¶ 7.

Miguel P [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 5-year-old Flores Class Member son. While there Miguel declared “There is a paper on the wall. I cannot read what it says. I do not know if I received a list of lawyers. I do not remember any immigration officials or people from the shelter telling me that my son and I can talk to lawyers. It was only when I went to talk with a free lawyer that I learned about a place nearby that helps people with their cases.” Declaration of Miguel P [REDACTED], Ex. 62 ¶ 8.

Miguel P [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 5-year-old Flores Class Member son. While there Miguel declared “Someone here at Berks asked me in Spanish if I have family in the United States and whether I wanted my son to stay here. I told them I want my son to stay in the United States because I am afraid for him to go back to Guatemala. I told them I have an uncle who lives in Los Angeles. When I realized my son would have to go alone, I told the person that I wanted my son to stay with me.” Declaration of Miguel P [REDACTED], Ex. 62 ¶ 9.

Miguel P [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 5-year-old Flores Class Member son. While there Miguel declared “Honestly, I am really confused about what is happening to me and my son. I do not understand why we are here at Berks. I want to know when I get to leave. Nobody has talked to me and my son about our rights or what is happening in Akateko. There are other people here that speak Akateko and they seem confused too.” Declaration of Miguel P [REDACTED], Ex. 62 ¶ 10.

TELEPHONE ACCESS TO CONTACT LAWYERS

CBP

Blanca E [REDACTED] and her three class member children were detained at a CBP facility near McAllen, TX and declared while there, “[d]uring both days, nobody gave

us any explanation of any rights whatsoever. Nor could I make a call.” Declaration of Blanca E [REDACTED], Ex. 10 ¶ 5.

Iris A [REDACTED] was detained with her 5-year-old son at a CBP facility near McAllen, TX and declared that while there, “[a]t no time while we were in the hielera or la perrera was I given permission to make any phone calls.” Declaration of Iris A [REDACTED], Ex. 15 ¶ 5.

Cindy J [REDACTED] was detained with her 2-year-old son at a CBP facility near McAllen, TX and declared while there, “We have not been given a phone call since I arrived. We have not been provided any written information, including about free legal services, my children's legal rights at this facility, or my children's right to a bond hearing.” Declaration of Cindy J [REDACTED], Ex. 54 ¶ 6.

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, “We were not given a list of attorneys we could contact or the opportunity to make a phone call to an attorney.” Declaration of Maria V [REDACTED], Ex. 36 ¶ 2.

Veronica M [REDACTED] was detained with her 1-year-old son at a CBP facility near McAllen, TX and declared while there, “At no time while we were in the hielera was I given permission to make any phone calls.” Declaration of Veronica M [REDACTED], Ex. 26 ¶ 5.

Mirna P [REDACTED] was detained with her 7-year-old son at a CBP facility near McAllen, TX and declared while there, “At no time while we were in the la perrera was I given permission to make any phone calls.” Declaration of Mirna P [REDACTED], Ex. 25 ¶ 5.

Gaspar M [REDACTED] was detained with his 14-year-old son at the Berks County Family Residential Center in Berks, PA and declared that while there, “I do not know if I was provided written notice of rights for my son because I cannot read well. Officials at the center did not verbally tell me about his rights in a language I could understand. I was not told anything about immigration hearings or bonds. I did not express a fear of return to the official who interviewed me at the facility.” Declaration of Gaspar M [REDACTED], Ex. 57 ¶ 4.

Juan L [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 15-year-old son and declared while there, “At the El Paso facility, I was provided a set of papers in both English and Spanish. My son was not provided that same papers. I am not sure what the papers said. I speak some Spanish but do not read well. No official explained what the documents said to me in Spanish. I was not provided written information in my indigenous language. I am not sure if I was provided documents regarding my son's legal rights or any information about the bond or court process because I could not read the documents.” Declaration of Juan L [REDACTED], Ex. 58 ¶ 4.

Martin F [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 7-year-old daughter and declared while there, “There was no telephone access at the facility.” Declaration of Martin Francisco-Miguel, Ex. 60 ¶ 4.

Miguel P [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 5-year-old Flores Class Member son. While there Miguel declared “My son and I presented ourselves at the United States border near Juarez, Mexico in early December

2017. I believe it was the afternoon. The immigration officials gave us food. They took me and my son to a room and asked questions. I had a really hard time understanding what was going on. I speak a dialect called Akateko. I cannot read. I have a hard time understanding Spanish unless someone speaks very slowly. The officer spoke to me in Spanish, but I could not understand him. I told the officer I had difficulty understanding and that I speak Akateko. However, they did not give me an interpreter.” Declaration of Miguel P [REDACTED], Ex. 62 ¶ 4.

Class Member Katya J [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “Since arriving at this facility, no one has given me information about my rights as a *Flores* class member. I have not received a list of attorneys. I have not had the opportunity to call an attorney or to call any family members. My father was not able to speak with a family member. But he had a phone call with an official who told him that his next step was to talk to a judge. He was not able to speak to an attorney before or after this call. We would like to be able to call our family members because we don’t know if they know that we have arrived and we would like them to be able to buy us tickets to go stay with them. We have not been able to tell anyone that we are afraid to return to our country. We want to be able to tell our story because we are afraid to return” Declaration of Katya J [REDACTED], Ex. 42 ¶ 6.

Class Member Denys A [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “I have not received any information about my rights or about attorneys that I could contact. I have not been able to make a phone call to my family. My mother and I are hoping to live with my aunt in Houston. No one has told me why we are waiting here or what’s going to happen next.” Declaration of Denys A [REDACTED], Ex. 46 ¶ 7.

Juliana M [REDACTED] was detained with her two class member daughters at a CBP facility near McAllen, TX and declared while there, “We received only one chance for a phone call. The phone call did not go through and I have not had another chance to call. We want to tell our family that we are here and doing okay.” Declaration of Juliana M [REDACTED], Ex. 51 ¶ 5.

Silvia S [REDACTED] was detained with her 10-year-old daughter at a CBP facility near McAllen, TX and declared that while there, “I was not allowed to use a phone at the CBP facility.” Declaration of Silvia S [REDACTED], Ex. 39 ¶ 7.

ICE

Blanca E [REDACTED] and her three class member children were detained at a CBP facility near McAllen, TX and declared while there, “[t]his was also the first time I was told that I had a right to call someone.” Declaration of Blanca E [REDACTED], Ex. 10 ¶ 7.

Rigoberto L [REDACTED] was detained with his 4-year-old son at Berks County Family Residential Center in Berks, PA and declared that while there, “No one at BCRC ever explained to us how to find a lawyer.” Declaration of Rigoberto L [REDACTED], Ex. 56 ¶ 13.

Ignacio B [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA with his 5-year-old son and while there declared, “I don’t think I was given a list

of lawyers to call. No one explained to me how to find a lawyer.” Declaration of Ignacio B [REDACTED], Ex. 59 ¶ 10.

Martin F [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 7-year-old daughter and declared while there, “Four days after I arrived at BCRC, a legal assistant came to speak with new families from Aldea – The People’s Justice Center. Before she called me down, I had no idea about how to find a lawyer or how to ask for asylum.” Declaration of Martin Francisco-Miguel, Ex. 60 ¶ 16.

Martin F [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 7-year-old daughter and declared while there, “At BCRC we were given lots of paperwork about our rights and about immigration but it is all written in Spanish and my first language is Akateco. I can’t read most of it. They explained a few things to me with an Akateco interpreter on the phone.” Declaration of Martin Francisco-Miguel, Ex. 60 ¶ 14.

Mario S [REDACTED] was detained at the Berks County Family Residential Center in Berks, PA, with his 8-year-old Flores Class Member son and declared while there, “I was given paperwork here but I do not know what the paper says because I do not know how to read in English or Spanish. No one has explained what the documents mean. I have spoken to a lawyer’s assistant but I have not had my interview with the immigration officer yet to tell them what happened to me.” Declaration of Mario S [REDACTED], Ex. 61 ¶ 9.

Miguel P [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 5-year-old Flores Class Member son. While there Miguel declared “There is a paper on the wall. I cannot read what it says. I do not know if I received a list of lawyers. I do not remember any immigration officials or people from the shelter telling me that my son and I can talk to lawyers. It was only when I went to talk with a free lawyer that I learned about a place nearby that helps people with their cases.” Declaration of Miguel P [REDACTED], Ex. 62 ¶ 8.

Miguel P [REDACTED] is detained at the Berks County Family Residential Center in Berks, PA, with his 5-year-old Flores Class Member son. While there Miguel declared “Honestly, I am really confused about what is happening to me and my son. I do not understand why we are here at Berks. I want to know when I get to leave. Nobody has talked to me and my son about our rights or what is happening in Akateco. There are other people here that speak Akateco and they seem confused too.” Declaration of Miguel P [REDACTED], Ex. 62 ¶ 10.

C. EFFORTS TO RELEASE MINORS AND DETENTION IN SECURE, UNLICENSED FACILITIES

1. FAILURE TO MAKE CONTINUOUS EFFORTS TO RELEASE MINORS

Jessica N [REDACTED] and her 1-year-old daughter were detained at a CBP facility near McAllen, TX and declared while there, “[a]round November 20, 2017 I received and signed a positive fear determination. Since then I do not believe that anything has happened in my case. I hope to live with my sister, Blanca Azucena Nunez Ochoa, in Virginia. I gave her name and phone number to officials at the first CBP station I was held at and I provided it

again when I arrived at Dilley. I have spoken to my sister many times since I arrived at Dilley. She informed me that ICE called and spoke to her the day after I received my positive fear determination. She was told that ICE would be in contact to tell her how to buy my daughter and me tickets to go to her, but they have not provided my sister with that information. I spoke with my sister most recently on December 6, 2017. According to my sister, ICE told her that they would call soon to explain how to buy tickets for my daughter and me, but that they couldn't tell her how to do it that day because I was not in ICE's files. I went to ICE officials the same day, December 6, 2017, to ask what was happening with my case and why there was such a delay. The only answer I received was that I would have to wait. They gave me no information about the reasons for the delay. I have been at Dilley for 31 days at this point, and received a positive fear determination 17 days ago. No one has explained to me why I have not yet been released." Declaration of Jessica Nuñez Ochoa, Ex. 17 ¶¶ 6-10.

Class Member Maybelline Estrada Posada was detained at a CBP facility near McAllen, TX and declared that while there, "At no time has anyone asked me or my mother whether I would like to be released to my father or older sister who live in the United States. My father lives in Arkansas and [m]y 23-year old sister lives in New Jersey. Neither my mother nor I have been informed that that is an option." Declaration of Maybelline Estrada Posada, Ex. 24 ¶ 6.

Francisca L. [REDACTED] was detained with her 4-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "I have been in touch with my husband but I do not know why we have not been released. No one has informed me what is necessary for my daughter and I to be released." Declaration of Francisca L. [REDACTED], Ex. 35 ¶ 4.

Damaris C. [REDACTED] was detained with her two class member children at a CBP facility near McAllen, TX and declared that while there, "We told ICE that my husband was in New York and we wanted to go to live with him. No one has asked if I would like for my children to be released without me to go to NY to live with my husband." Declaration of Damaris C. [REDACTED], Ex. 29 ¶ 5.

Silvia S. [REDACTED] was detained with her 10-year-old daughter at a CBP facility near McAllen, TX and declared that while there, "I am planning to live with my brother in Louisiana after I am released. No one has asked me if I would want my daughter to be released to him or anyone else instead of continuing to be detained." Declaration of Silvia S. [REDACTED], Ex. 39 ¶ 3.

Iris A. [REDACTED] was detained with her 5-year-old son at a CBP facility near McAllen, TX and declared that while there, "I have been in detention since November 6. At no time has anyone asked me whether I would like my son to be released to a relative or friend in the United States. I have not been informed that that is an option." Declaration of Iris A. [REDACTED], Ex. 15 ¶ 7.

Ana B. [REDACTED] and her 6 year old son were detained at a CBP facility near McAllen, TX and declared while there, "I am very stressed out by my continued detention; I do not have the desire to do anything and I have no appetite. I spend most of the day in my room, depressed and anxious. My son is equally distressed. He tells me constantly about how much he wants to leave this place and how sad he is to be here. He is barely eating, and I am very worried about his health. Today he just had a bowl of cereal for breakfast; he

declined to eat lunch and dinner. He tells me he does not want to return to Honduras. He only wants to be released from this place and join his father, who lives in Texas.” Declaration of Ana B [REDACTED], Ex 7 ¶ 8.

Veronica M [REDACTED] was detained with her 1-year-old son at a CBP facility near McAllen, TX and declared while there, “I have been in detention since November 7. At no time has anyone asked me whether I would like my son to be released to a relative or friend in the United States. I have not been informed that that is an option.” Declaration of Veronica M [REDACTED], Ex. 26 ¶ 6.

Class Member Karla T [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “[m]y brother and my uncle are waiting for us, but we have been given no information for over three weeks.” Declaration of Karla T [REDACTED], Ex. 19 ¶ 9.

Francis M [REDACTED] was detained with her 6-year-old son at a CBP facility near McAllen, TX and declared while there, “We were not asked whether we were afraid to return to Honduras and were not asked whether we had any friends or relatives in the United States who we wanted to stay with.” Declaration of Francis M [REDACTED], Ex. 34 ¶ 6.

Maria V [REDACTED] was detained with her 12-year-old son at a CBP facility near McAllen, TX and declared that while there, “My son and I have been at the Karnes Residential Facility for about eleven days. We are planning to go to live with a sister-in-law in Tennessee. I told officials that I want to stay with my son.” Declaration of Maria V [REDACTED], Ex. 36 ¶ 11.

Dorca V [REDACTED] was detained with her 16-year-old son at a CBP facility near McAllen, TX and declared that while there, “They have not asked me if I want my son released to my friend who is going to receive us or anything else.” Declaration of Dorca V [REDACTED], Ex. 31 § Karnes ¶ 3.

Elsa E [REDACTED] was detained with her 17-year-old daughter at a CBP facility near McAllen, TX and declared that while there, “They have not asked if I want my daughter to go with my brother.” Declaration of Elsa E [REDACTED], Ex. 33 § Karnes ¶ 3.

Candida R [REDACTED] was detained with her 6-year-old son at a CBP facility near McAllen, TX and declared that while there, “I am going to live with a cousin. No one has asked if I want my son to be released to my cousin or to anyone else instead of being detained.” Declaration of Candida R [REDACTED], Ex. 28 § Karnes ¶ 2.

Class Member Dulce O [REDACTED] was detained at a CBP facility near McAllen, TX and declared that while there, “They did not give us a phone call to anyone, including the friend that we were going to live with.” Declaration of Dulce O [REDACTED], Ex. 32 § CBP ¶ 6.

Dora S [REDACTED] was detained with her 8-year-old daughter at a CBP facility near McAllen, TX and declared that while there, “My daughter has a hard time here because she wants to be with her family. No one has asked me if I want her to be released to her father

or anyone else instead of being detained.” Declaration of Dora Sarai Portillo de Coto, Ex. 30
§ Karnes ¶ 2.

Exhibit 3

DECLARATION OF VIRGINIA CORRIGAN

I, Virginia Corrigan, declare and say as follows:

1. I am an attorney licensed to practice in the states of New York and California. I am a staff attorney at the Youth Law Center in San Francisco, California. I participated in Plaintiffs' December 2017 monitoring visits to United States Immigration and Customs Enforcement (ICE) facilities in Dilley, Texas and Karnes City, Texas.
2. On December 6, 2017, I participated in a site visit to the ICE detention facility located in Dilley, Texas. In the course of that site visit, I spoke with *Flores* class members and their mothers, as well as with ICE employees, regarding conditions at the facility. I also participated in a tour of the facility.
3. During the tour of the Dilley facility, I observed that the facility was surrounded by fences and that there was only one door through which it was possible to leave the facility. I passed through this door multiple times and observed that the exit was staffed by at least two individuals at all times. When I enquired of the ICE staff who were conducted the tour what would happen if a detainee attempted to exit the facility through that door, I was told that ICE officers would immediately apprehend the detainee and return her to the facility.
4. On December 7, 2017, I participated in a site visit to the ICE detention facility located in Karnes City, Texas. In the course of that site visit, I spoke with *Flores*

class members and their mothers, as well as with ICE employees, regarding conditions at the facility. I also participated in a tour of the facility.

5. During the tour of the Karnes City facility, I observed that the facility was fully enclosed and that there was only one door through which it was possible to leave the facility. Based on my observations, it did not appear that class members had access to that door. When I enquired of the ICE staff who were conducted the tour what would happen if a detainee attempted to exit the facility through that door, I was told that detainees are not permitted to leave the facility and that ICE officers would immediately apprehend the detainee and return her to the facility.
6. Based on my personal observations and conversations with facility staff and *Flores* class members and their parents, I am aware that both Dilley and Karnes are secure facilities. Based on these observations and conversations, my understanding is that class members are not permitted to leave these facilities, and that any class member who left the facility, unless with facility or ICE consent and a facility or ICE escort, would be immediately returned to the facility.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed this 8th day of January, 2018 in San Francisco, California.



Virginia Corrigan, Esq.

Exhibit 4

DECLARATION OF BRIDGET CAMBRIA

I, Bridget Cambria, declare and say as follows:

1. I am an attorney licensed to practice in the state of Pennsylvania. I am a partner in the law firm of Cambria & Kline, P.C. My practice includes regular representation of immigrant and refugee children and their parents detained pursuant to the Immigration and Nationality Act and housed at the Berks County Residential Center, a detention center located in Leesport, Pennsylvania.
2. I have practiced immigration law for ten years and have represented immigrants, children and families before the Immigration Courts, the Board of Immigration Appeals, Federal District Courts and the Third Circuit Court of Appeals. I am a graduate of the Roger Williams School of Law, wherein my studies focused on immigration and public interest law. Prior to law school, on or about 2002, I was employed by the County of Berks wherein I was a staff member for one year of what is now called the "Berks County Residential Center" (hereinafter "BCRC" , previously and alternatively known as the "Berks County Youth Center", "Berks Family Shelter", or the "Berks Family Detention Center"). In the course of my practice I have regular occasion to observe, and therefore am familiar with, the policies and practices of United States Immigration and Customs Enforcement (ICE) toward the detention, release, and treatment of children and

mothers detained at BCRC. I have also had the opportunity to observe how those policies and practices have changed over time.

3. In the course of my representation of over 100 individuals in the Berks County Residential Center since June of 2014, I have also had occasion to observe and interact with families and children. I am aware of ICE's decisions on detention and have observed its continued refusal to follow requirements of the *Flores* Settlement.
4. On December 21, 2017 I attended a site visit to the Berks facility to interview Flores Class Members.
5. Based on my personal observations, and numerous discussions with facility staff and Flores class members and their parents, I am aware that Berks is a secure facility. Any class member who left the facility, unless with facility or ICE consent and a facility or ICE escort, would be immediately arrested.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed this 8th day of January, 2018 in Reading, PA.

A handwritten signature in black ink, appearing to read 'Bridget Cambria', followed by a period.

Bridget Cambria, Esq.