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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

INNOVATION LAW LAB and LUIS
JAVIER SANCHEZ GONZALEZ by
XOCHITL RAMOS VALENCIA as next
friend,

Plaintiffs-Petitioners,

v.

KIRSTJEN NIELSEN, Secretary, Department
of Homeland Security, THOMAS HOMAN,
Acting Director, Immigration and Customs
Enforcement, ELIZABETH GODFREY,
Acting Field Office Director, Seattle Field
Office of ICE, JEFFERSON BEAUREGARD
SESSIONS, III, U.S. Attorney General,
HUGH J. HURWITZ, Acting Director,
Federal Bureau of Prisons, JOSIAS
SALAZAR, Warden, FCI Sheridan Medium
Security Prison, in their official capacity only,

Defendants-Respondents.

Case No. 3:18-cv-01098

**DECLARATION OF IAN PHILABAUM
IN SUPPORT OF PLAINTIFFS-
PETITIONERS' EX PARTE
APPLICATION FOR TEMPORARY
RESTRAINING ORDER**

I, Ian Philabaum, declare as follows:

1. I am a legal assistant at Innovation Law Lab in Portland, Oregon. I am over 18 and have personal knowledge of the facts described herein.

2. I am the Program Director for Innovation Law Lab, a non-profit organization, with experience in immigration law, including experience providing legal assistance to attorneys representing individuals in removal proceedings. This experience includes working with detained individuals in the South Texas Family Residential Center as the project coordinator of the CARA Family Detention Pro Bono Project. In that capacity, I met with and interviewed asylum seekers who had been recently detained at the United States-Mexico border in order to assess their claims for asylum. I also assisted them in preparing for their credible fear interviews, the first stage in the asylum process, and sat in with them during those interviews.

3. On Monday, June 18, 2018, I volunteered to be a part of the team of pro-bono attorneys and legal assistants available to provide legal services to the detained immigrants being held at the Federal Correctional Institution of Sheridan.

4. On Monday, June 18, 2018, I drove to Sheridan, Oregon prepared to provide legal services to those detainees. I arrived in Sheridan at approximately 10:45 a.m. However, I was informed at approximately 11:00 a.m. that no attorneys or legal assistants would be allowed to enter the facility and meet with the detained individuals. I was therefore unable to meet with any detained individuals at the facility.

5. On Thursday, June 21, 2018, I returned to the Federal Correctional Institution of Sheridan at approximately 12:45 p.m. I had been advised that we would be allowed to see detainees, and specifically four detainees who had requested legal services. I was in possession

of the names, dates of birth, Bureau of Prison identification numbers, and A numbers of those detainees seeking representation.

6. Upon arrival at the Sheridan prison, we were stopped at closed gates at the entrance to the grounds by an official identified as Palominos in his Bureau of Prisons uniform. Two other officials in desert camouflage uniforms were also present, and they identified themselves as Bureau of Prisons employees. Their uniforms had no identifying information visible. Palominos requested our names and identification. I provided him my name and my Arizona state driver's license. Traveling with me was Leland Baxter-Neal, a staff attorney at the ACLU of Oregon, and Chelsea Strautman, an immigration attorney. Both Baxter-Neal and Strautman provided Palominos their names and identification.

7. Palominos spoke with someone over his radio, and then advised us that his instructions were to "take down our names and turn us around." After we insisted, Palominos said that he would "run [our] names," that we needed to leave the property but could come back in 10 minutes and see if we would be allowed in.


8. Strautman, Baxter-Neal, and I did as instructed. When we returned 10 minutes later, at about 1:10 p.m., Palominos told us that we would not be allowed to enter the facility.

9. Later in the day on Thursday, June 21, 2018, I returned to the Federal Correctional Institution of Sheridan at approximately 5:20 p.m. I had been advised that we would be allowed to meet with detained individuals, specifically for the purpose of providing a know your rights presentation. I was in possession of the names, dates of birth, Bureau of Prison identification numbers, and A numbers of those detained individuals that we had submitted to ICE for the know your rights presentation at that time.

10. Travelling with me were Victoria Bejarano Muirhead, the development director of Innovation Law Lab, and Katy Mitchell, a volunteer with Innovation Law Lab. When we arrived at the Federal Correctional Institute of Sheridan, the gate was closed and we were stopped by a guard who identified himself as Officer John Richey, who is a guard with the Bureau of Prisons. He was accompanied by three other guards, all of whom were wearing Bureau of Prisons uniforms, one of whom later identified himself as Officer Keller. Upon arrival, Officer Richey immediately told us that he had instructions from his superiors at the Bureau of Prisons that no one was to be allowed entrance to the Federal Correctional Institute of Sheridan for the purpose of visiting the asylum seekers that are detained there. Officer Richey told Bejarano Muirhead, Mitchell and myself that no one would be able to get in to visit with the asylum seekers detained in the Sheridan prison until the following Monday, at the very earliest. We told him that we had been in communication with ICE and they told us that we would be provided space in the Sheridan prison for the purpose of know your rights presentations between the hours of 4:45 p.m. and 8:00 p.m., he told us that the ICE officer that is on site had left for the day at 3:30 p.m. We asked if there was any way we could speak with anyone about giving a know your rights presentation at that time, he told us there was nothing more that he could tell us and confirmed that we were not allowed in the Sheridan prison to meet with the asylum seekers in any capacity. We left the Sheridan prison grounds at approximately 5:30 p.m.

I hereby declare under the penalty of perjury pursuant to the laws of the United States that the above is true and correct to the best of my knowledge.

EXECUTED this 21st day of June, 2018.



Ian Philabaum

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