

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

1. My name is Joseph S. Giardina. Together with my partner John Sharby Guevara, I own and operate Giardina & Guevara, LLC. We are a for-profit, private mainly Immigration but some Criminal law firm. We often provide pro bono or low bono representation to clients detained in one of the many detention centers in Louisiana.
2. At this moment, our office is representing clients in most of the detention facilities throughout the state of Louisiana. We represent people housed as far north as Richwood Correctional Facility in Monroe, to Jackson Parish Correctional Facility, Winnfield Correctional Center, Jena at the La Salle Detention Facility, Pine Prairie at the Pine Prairie ICE Processing Center, and Adams County Correctional Center in Mississippi.
3. As a result of the COVID-19 outbreak in Louisiana, and the subsequent quarantines and changes in visitation policies by the detention centers, it has been nearly impossible to visit or communicate with our clients since March 17, 2020.
4. What is most disturbing about my experiences in these various facilities after the outbreak of the COVID-19 Global Pandemic is the lack of change in protocol of the facilities to protect the safety of the detainees housed in these private, for profit prison facilities, their staff, guards, and immigration court staff, their families, or their communities. It is business as usual in these facilities aside from taking our temperature and then asking some generic questions which medical science has already proven is useless, as someone can be asymptomatic and spread COVID-19, they have no changes that I can see. In addition, they do not strictly enforce their own rules in these questionnaires for example I have seen an attorney be allowed into a facility after admitting to having a fever within the last 14 days, now the attorney was fine, with completely different symptoms than COVID-19, and didn't have the virus, but still the questionnaire says this person will be barred from entering, they didn't enforce that policy. In addition there were no changes to the numbers of detainees allowed in a courtroom for Master Calendar hearings. That appears to be the same way they have always done it with an entire room full of people sitting less than an inch apart all crammed in the room for hours waiting their turn to see the IJ. As far as the waiting rooms for Court, they are again the same as usual filled to the brim with detainees waiting their turn to entire the packed court rooms for their Master Calendar or bond hearings. As far as jail visits are concerned. Some facilities such as Jackson have issued a new policy of behind glass visits similar to Jena, which is a change from their previous form of face to face visitation in a room. In contrast other facilities such as Richwood still maintain the same face to face in person in a room visitation rules, risking one person to come into the facility as an asymptomatic carrier and infect everyone in the facility, then their families, then their communities as these prisons are the lifeblood of these local communities economies.
5. In addition to the facilities operating as usual ICE's dogged unwillingness to change its protocols designed to detain and keep people detained in Louisiana as evidenced by their continued resistance to grant even the most meritorious of parole cases, even though they have been repeatedly instructed by a federal court Judge Boasberg to grant these parole requests and many others, even less meritorious. However, during this time of crisis when we are all supposed to do our part to get the country and its people through these very difficult times, ICE has chosen to disregard all sound medical advice, the words of our

State Governors and health officials, and indeed the President and his top health officials as well, and instead continues to attempt to detain as many persons as they can fit into these overcrowded detention facilities, and even though directives have been sent to close down most if not all Supreme Court hearings, Federal Court Hearings, Criminal Court hearings, Civil Court Hearings, and non-detained Immigration Court Hearings, because it is unsafe to even have court in a non-detained setting, where people might be able to stay a safe distance from each other, they have chosen to ignore these directives and keep the machine of detained immigration court rolling and put case completion goals and policy decisions to detain and deport immigrants over the desire to comply with all sound medical advice and the advice of all our government leaders to safeguard the lives of the detainees, the court staff, the prison staff, the immigration attorneys, DHS attorneys, and their families lives and that of the communities they live in.

6. On March 23, 2020, we received a memorandum from Mr. Keith Deville, Warden at Winn, informing attorneys that, as per ICE instructions, all attorneys must wear gloves and an N-95 mask when conducting visits. Given the nationwide shortage of such protective equipment, even for medical personnel, such a requirement has, in practice, created a ban on in-person attorney visits. Winn is not equipped to handle video teleconferencing, so attorneys are left with nothing more than telephone calls with clients in order to prepare them for their hearings and discuss important, complex legal matters. In addition, the guards and the detainees are not required or even encouraged to wear the same protective gear it makes no logical sense for attorneys to be required to acquire all this protective gear, including the specific type of protective mask they require, so not just any surgical mask has to be the N-95 mask is absolutely ludicrous if the guards who enter and exit the prison every day are not supposed to wear them, nor the detainees who have visited with attorneys and guards prior to this order coming into effect and before 14 days have passed. This policy is a slap-shod response to an impossible problem, that does not come close to satisfying the requirements of healthcare professional and top government officials in safeguarding and protecting human lives and preventing further spread of COVID-19 and its damaging effects to health, our country, and our economy. The only logical answer is for EOIR to shut down ALL immigration courts for at least a 2 to 4 week period as recommended by Health Care officials, the longer we push forward with non-detained dockets the more likely whole detention facilities will be affected and the entire communities at large that the staff of these facilities and the immigration attorneys that serve them come from.

Executed on March 29, 2020.



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Joseph S. Giardina