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15 **UNITED STATES DISTRICT COURT**
16 **SOUTHERN DISTRICT OF CALIFORNIA**

18 Ms. L., et al.,

19 Plaintiffs,

20 v.

21 U.S. Immigration and Customs
22 Enforcement, et al.,

23 Defendants.

Case No. 3:18-cv-428-DMS
Honorable Dana M. Sabraw

Date Filed: May 12, 2025

**DECLARATION OF KELLY
ALBINAK KRIBS**

CLASS ACTION

I, Kelly Albinak Kribs, pursuant to 28 U.S.C. § 1746, declare that the following is true and correct:

Background

1. I am an attorney and the Co-Director of the Technical Assistance Program for the Young Center for Immigrant Children's Rights (Young Center), where I have worked for more than nine years. The Young Center is a national non-profit organization whose mission is to protect and advance the rights and best interests of immigrant children in accordance with state, federal, and international law. Since 2004, the Young Center has been appointed by the Office of Refugee Resettlement (ORR) within the U.S. Department of Health and Human Services to serve as the independent Child Advocate, akin to a best interests guardian ad litem, for unaccompanied and separated immigrant children.

2. In 2017 and 2018, the Young Center was appointed as the independent Child Advocate for hundreds of children who were separated from their parents at the border before and during "zero tolerance," and who were designated as unaccompanied children and transferred to ORR custody. During this time, I served as a Child Advocate working directly with children in ORR custody who had been separated from their parents and advocated for their reunification.

3. In my current role with the Technical Assistance Program, I consult with various attorneys and social services providers on complex matters of reunification for *Ms. L.* class members. On April 26, 2025, I began working to support A., a *Ms. L.* class member, who was detained on April 25, 2025, and who spent 13 days in ICE custody at imminent risk of removal.

4. I obtained the following information from A. and from communications with various stakeholders.

5. A. was separated from his then-four-year-old daughter in December 2017. His daughter is blind. A. received a removal order dated March 20, 2018, and was deported back to Guatemala without his daughter.

6. The Family Reunification Task Force confirmed that A. was a class member in spring 2024.

7. In 2021, A. returned to the United States and was briefly reunified with his daughter but sent her back to her mother in Guatemala in the hope that his wife and both daughters would one day be able to join him in the United States.

8. With the assistance of the federal contractor operating the Help Desk for class members, the International Organization for Migration (IOM), A. submitted an application for parole-in-place in the summer or fall of 2024.

9. Throughout the fall of 2024, A.'s wife, still in Guatemala, worked with IOM to prepare humanitarian parole applications for herself and the two young daughters she and A. had together, including the separated child. Their applications were granted.

10. In February 2025, A.'s wife and two daughters traveled from Guatemala to Florida to reunite with A. It was the first time the family was reunited in years.

11. On April 22, 2025, U.S. Citizenship and Immigration Services (USCIS) issued a Request for Evidence related to A.'s pending parole application.

12. On April 23, 2025, IOM called A. to explain to him what the Request meant. IOM told A. that USCIS needed more information and then they directed him to reach out to Catholic Legal Services of Miami, the Legal Access Services for Reunified Families (LASRF) provider for Florida.

13. IOM also independently referred A. to the LASRF program on April 23, 2025.

14. On Friday, April 25, 2025, A. was detained during a traffic stop in Florida and placed in ICE custody. He was not the one driving. The police checked his identification, detained him, and then appear to have contacted ICE.

15. On Saturday, April 26, 2025, I learned about A.'s detention. When I searched for him in the automated case information database the Executive Office of Immigration Review maintains, I saw he had a 2018 removal order.

16. I immediately reached out to Class Counsel to inform them that a class member with a removal order had been detained. I understand they alerted the government to A.'s detention that same day.

17. A. did not initially appear in the ICE online detainee locator, so on Saturday, April 26, I e-mailed the general inbox for the Miami ICE Field Office to alert them to A.'s status as a *Ms. L.* class member.

18. On Sunday, April 27, the ICE online detainee locator listed A. in custody at the El Valle Detention Center in Raymondville, Texas.

19. That same day, I emailed the Acting Field Office Director for the Miami ICE Field Office; the Assistant Field Office Director for the Harlingen Field Office; and the general inbox for the Harlingen Field Office to alert them to A.'s status as a *Ms. L.* class member and to request confirmation that A. would not be removed. I received no acknowledgement of A.'s status as a *Ms. L.* class member.

20. On Monday, April 28, I was able to speak with A. to explain my efforts to try to alert government officials to his class member status and to try to find him a lawyer.

21. When I spoke with A. on Wednesday, April 30th, he told me that he keeps thinking about his daughter, who is now experiencing a second separation from her father. Because she is blind and only eleven years old, she depends heavily on both her parents.

22. I have also spoken with A.'s wife, who is worried about paying rent and feeding her children since she so recently arrived in the country and the family's sole breadwinner, A., is now detained. She also told me that her two daughters are crying for their father.

23. On Friday, May 2, I again spoke with A. over the phone. He told me he had not been able to speak to any deportation official about his case. He said the facility he was in was very crowded, and that he only saw officials when they came to call names and take detainees away. He told me he feared he was going to be deported before he could speak with an official about his case.

24. On Saturday, May 3, I learned via the ICE online detainee locator that A. had been moved to the Port Isabel Detention Center in Los Fresnos, Texas.

25. On Monday, May 5, at 9:20 a.m. ET, I called 703-756-8094, the intake phone number for the EOIR-facilitated LASRF Program, to request legal assistance on A.'s behalf. I left a voicemail, with A.'s name and A number, explaining the circumstances of A.'s detention and his urgent need for legal services. I received a return voicemail that same day asking for me to clarify whether I represented A. I called the DOJ legal services phone number back one hour after I received the message, and I left a voicemail clarifying that I do not represent A. I am instead trying to find counsel for him. I have not heard from them again.

26. I spoke to A. again in the afternoon of Tuesday, May 6. He told me that on Friday May 2, after we spoke, he was taken to an airport with other detainees,

but he was not put on an airplane. He does not know why, but he was in constant fear of deportation.

27. During my call with A., the official facilitating the call provided me with the contact information for A.'s assigned Deportation Officer, Kristian Bahamundi Gonzalez. After I spoke with A. on the afternoon of Tuesday, May 6, I emailed Officer Bahamundi Gonzalez to inform him of A.'s status as a *Ms. L.* class member to request confirmation that A. will not be deported at this time. I did not receive any response.

28. On the evening of Wednesday, May 7, I saw on the ICE detainee locator website that A. had once again been moved; this time to the Alexandra Staging Facility in Louisiana. I feared his removal was imminent, so I again emailed Officer Bahamundi Gonzalez.

29. On the morning of Thursday, May 8, I received a call from Assistant Field Office Director Charles Parra from the Miami Field Office informing me that A. was being returned to Miami to be released on an order of supervision. I worked with him to coordinate arrangements for A. to be picked up from Krome Detention Center, which is remotely located and not accessible by sidewalks or public transportation.

30. Because A. was living outside Orlando, I spent much of Thursday, May 8, arranging for volunteers to facilitate his travel home from Miami, where ICE was releasing him. A volunteer picked him up from Krome, drove him to a train station, and purchased a ticket for him to travel to Orlando. Later that evening, another volunteer arranged for A.'s wife and daughter to pick him up in a rideshare car at the train station in Orlando and take him home. His family would not have been able to pay for his transportation home on their own.

31. On May 9, A. sent me the paperwork he received upon his release. It shows that he is required to present for an ICE check-in on June 9, 2025, in Miramar, Florida, which is roughly 3.5 hours from where A. lives. It will be an extraordinary burden for A. to present at this appointment.

32. A. was not able to receive legal assistance from the Acacia program that ended on April 30, 2025. Neither while he was detained, nor since he was released, has A. received legal outreach or assistance from the newly created EOIR program. A. remains unrepresented at this time and has so far been unable to access any legal services to assist him in responding to the Request for Evidence on his pending parole application. He needed a lawyer to assist him in preventing his unjustified removal throughout his detention, and he needs one still. As an attorney with a program that provides technical assistance rather than direct representation, there was only so much I could do.

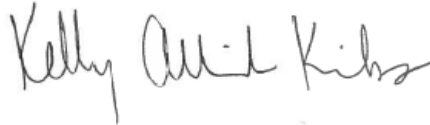
33. Although the risk A. faced during his 13 days in ICE custody was particularly acute, he is one of many class members I have encountered in my work who is currently living with a profound fear of being detained, deported, and once again separated from loved ones. Thousands of class members, and their family members who are also entitled to certain legal services under the Settlement, remain unrepresented and in legal limbo, waiting for assistance with re-parole applications or with motions to reopen old removal orders. Others, like A., may still be waiting for the adjudication of their initial parole-in-place application.

34. Many class members are vulnerable to apprehension by ICE in this extraordinarily heightened immigration enforcement environment. In other words, class members like A. are faced with the prospect of re-separation and re-traumatization, even while they continue to piece their lives back together in the

aftermath of the original separation while attempting to follow the processes set out in the Settlement.

* * * * *

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



Date: May 9, 2025

[Kelly Albinak Kribs]