

EXHIBIT 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SERGIO ALBERTO BARCO MERCADO,

Plaintiff.

v.

KRISTI NOEM, et al.,

Defendants.

Civil Action No.: 25-CV-6568

DECLARATION OF WILLIAM P. JOYCE

I, William Joyce, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am a Deputy Field Office Director (“DFOD”) in the New York City Field Office of Enforcement and Removal Operations (“ERO New York”) at U.S. Immigration and Customs Enforcement (“ICE”) within the U.S. Department of Homeland Security (“DHS”). As a DFOD, I am responsible for, among other things, oversight of the civil immigration arrest and detention of aliens in the New York City area. In my role as a DFOD, I am currently responsible for the Detained Case Management Unit, the Jail Liaison Unit, the Juvenile Case Management Unit, and the Fugitive Operations program, our Newburgh and Central Islip sub-offices, as well as the Transportation and Removal Unit, and the Processing/Intake Unit at ERO New York City and the alien detainees who fall within its responsibility.

2. I am aware of, and familiar with, the Preliminary Injunction the Court issued in this matter on September 17, 2025.

3. ERO New York City is ensuring that each Detainee held in a Hold Room is provided with a printed Notice of Rights, in either English or Spanish, as required by #2 and #5 of the Preliminary Injunction. (Exhibit 1)

4. If a detainee does not speak English or Spanish, or is otherwise illiterate, they are provided with an interpreter or someone who can assist them as required by #6 of the Preliminary Injunction.

5. ERO New York City has now designated (212) 436-9400 as the telephone number for attorneys to call and schedule a call with their clients. This number is conspicuously displayed in ICE's Online Detainee Locator System as required by #4(a) of the Preliminary Injunction.

6. In addition to the aforementioned telephone number, above and beyond the requirements of the Preliminary Injunction, ERO New York City has also created the email address NYCIntakeInquiries@ice.dhs.gov to field requests for attorneys to schedule calls and receive documents. As of the writing of this declaration, it has not yet fully propagated through the system, but, is anticipated to fully functional within 24 hours.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 15th day of October, 2025.

WILLIAM P JOYCE Digitally signed by WILLIAM P JOYCE
Date: 2025.10.15 15:52:03 -04'00'

William Joyce
Deputy Field Office Director
Enforcement and Removal Operations

EXHIBIT 1

Notice of Rights in re: Barco-Mercado v Noem, 25-cv-6568 (LAK)

- (a) To engage and consult with an attorney or attorneys;
- (b) To have confidential, unmonitored, unrecorded, temporally unrestricted, and free legal telephone calls with counsel (with interpreters for non-English speaking Detainees) within 24 hours of being detained and at least once during each subsequent 12 hour period while they are detained;
- (c) To schedule legal calls with counsel within 6 hours of a request made within the period 9 a.m. to 4 p.m. and within 16 hours of a request made thereafter;
- (d) To request and, promptly upon request, to be provided without charge with clean clothing and with a private area for the purpose of changing clothing
- (e) To request and - if sufficient requested materials are not available in the Hold Room - promptly to be provided without charge soap, towels, toilet paper, oral hygiene products (including toothbrushes and toothpaste) and, in the case of Hold Rooms containing one or more female Detainees, feminine hygiene supplies;
- (f) To request and to be provided without charge with professional services of licensed medical personnel between the hours of 7 a.m. and 9:30 p.m. and, in case of emergency, during all other periods;
- (g) To retain prescription medications in their possession at the time of arrest and to receive and retain such medicines brought for them by family members or their attorney(s) to the ICE field office; and
- (h) To request and, promptly upon request, to receive an additional blanket or blankets.
- (i) To request and, promptly upon request, to be provided without charge with bottled water.
- (j) To request, and promptly upon request, be provided with one additional meal per day.

Aviso de derechos en relación con: Barco-Mercado v Noem, 25-cv-6568 (LAK)

- (a) Contratar y consultar con un abogado o abogados;
- (b) Tener llamadas telefónicas legales confidenciales, no monitoreadas, no grabadas, temporalmente sin restricciones y gratuitas con un abogado (con intérpretes para detenidos que no hablan inglés) dentro de las 24 horas posteriores a su detención y al menos una vez durante cada período posterior de 12 horas mientras estén detenidos;
- (c) Programar llamadas legales con el abogado dentro de las 6 horas posteriores a una solicitud realizada dentro del período de 9 a.m. a 4 p.m. y dentro de las 16 horas posteriores a una solicitud realizada a partir de entonces;
- (d) Solicitar y, sin demora previa solicitud, recibir sin cargo ropa limpia y con un área privada con el fin de cambiarse de ropa
- (e) Solicitar y, si no se dispone de suficientes materiales solicitados en la sala de detención, que se le proporcionen sin demora jabón, toallas, papel higiénico, productos de higiene bucal (incluidos cepillos de dientes y pasta de dientes) y, en el caso de las salas de detención que contengan una o más mujeres detenidas, suministros de higiene femenina;
- (f) Solicitar y recibir gratuitamente servicios profesionales de personal médico autorizado entre las 7 a.m. y las 9:30 p.m. y, en caso de emergencia, durante todos los demás períodos;
- (g) A retener los medicamentos recetados en su posesión en el momento del arresto y a recibir y retener dichos medicamentos traídos por los miembros de la familia o su(s) abogado(s) a la oficina local de ICE; y
- (h) Solicitar y, con prontitud a pedido, recibir una manta o mantas adicionales.
- (i) Solicitar y, con prontitud a pedido, recibir sin cargo agua embotellada.
- (j) A pedido, y con prontitud a pedido, se le proporcionará una comida adicional por día.